116657 35MM 2 Sheet-S NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

COUNCIL BILL No. 109614

API ORDINANCE adopting a Commute Trip Reduction Plan, adding a new Chapter 25-02 to the Sociale Monterpal Code; establishing requirements for major employers to implement the Washington Clean Air Act; and prescribing renalities.

COMPTROLLER FILE No.

Introduced:	BY: CHOE
Referred:	To Transportation
Referred:	To:
Referred:	10)
Reported: OPR 2.6 1953	Second Reading:
Third Reading:	Signed: AFR 2-6 1993
Presented to Mayor: APR 8 7, 1993	Approved: Per 29 13
Returned to City Clerk:	Published:
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Pessed over Veto:	Veto Sustained:

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# The City of Seattle-Legislative De

## REPORT OF COMMITTEE

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Honorable President:			
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Your Committee on		Land to the second	
report that we have considered the	same and resp	octfully recon	rmend th <b>at t</b>
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Committee Chair

## ORDINANCE 116657

1	25.02 to the Seattle	dopting a Commute Trip Reduction Plan; adding a new Chapter Municipal Code; establishing requirements for major employers to ington Clean Air Act; and prescribing penalties.
2	WHEREAS, the Wa	shington State Clean Air Act, RCW 70.94.521-551, requires local
3	governments commute trip	to adopt ordinances and plans to reduce single-occupant vehicle os: and
4 5	commute trip	ean Air Act requires major employers to develop and implement oreduction programs which are approved by local government;
6	and WHEREAS, the Cit	by Council finds that this ordinance is necessary to implement the
7 8	Clean Air Ao public;	et and to protect the health, safety and welfare of the general
9	NOW, THEREFOR	EE,
10	BE IT ORDAINED FOLLOWS:	BY THE CITY COUNCIL OF THE CITY OF SEATTLE AS
1 1		There is hearly added to title 25. Scottle Municipal Code, a new
12		There is hereby added to title 25, Seattle Municipal Code, a new
13	chapter to be numb	ered, titled and to read as follows:
14		Chapter 25.02
15		COMMUTE TRIP REDUCTION
16		Table of Contents
17	25.02.010 25.02.020	Title Purpose
18	25.02.030 25.02.040	Definitions Employer's Commute Trip Reduction Program
19	25.02.040 A. 25.02.040 B.	Program Submittal and Implementation Program Content
20	25.02.040 B. 1. 25.02.040 B. 2.	Employee Transportation Coordinator Distribution of Information
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22	25.02.040 B. 5. 25.02 070 B. 6.	CTR Worksite Characteristics Record Keeping
23	25.02.040 C. 25.02.050	Program Review and Approval Employer's Annual Report
24	25.02.050 A. 25.02.050 B.	Submittal Content
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1	25.02.060 A. Employer's CTR Goals 25.02.060 B. CTR Zones
2	25.02.060 C. Base Year Values and Modifications Exemptions, Credit, and
3	Adjustment to Calculation of Affected Employee 25.02.070 A. Exemptions
4	25.02.070 B. Credit for Successful TDM Program 25.02.070 C. Credit for Telecommuting, Bicycling, etc.
5	25.02.070 D. Adjustment to Definition of Affected Employee
_	25.02.080 Appeal of Director's Final Decision
6	25.02.090 Civil Penalties 25.02.100 Administration
7	25.02.100 Authority to Promulgate Administrative Rules
'	25.02.100 B. Peer Review
8	25.02.100 C. Appeals Board
9	25.02.010 Title.
10	This chapter shall be known and may be cited as the "Seattle Commute Trip Reduction Ordinance."
11	Reduction Ordinance.
12	25.02.020 Purpose.
13	The purpose of this chapter is to implement the Washington State Clean Air Act, RCW 70.94.521-551.
14	25.02.030 Definitions.
15	For the purposes of this chapter the following words or phrases are defined as
16	described below.
10	
17	A. Affected employee: A full-time employee who begins his or her regular work day at a single worksite between 6 a.m. and 9 a.m. (inclusive) on two or
18	more weekdays.
19	B. Affected employer: A private or public employer that for twelve (12) continuous months employs one hundred (100) or more full-time employees at
20	a single worksite who are scheduled to begin their regular work day between 6:00 a.m. and 9:00 a.m. (inclusive) on two or more weekdays, even if the
21	identity of the employees varies over time. This is equivalent to the term "major employer" used in RCW 70.94.521-551.
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	C. Alternative mode: A method of commuting to work other than a single-occupant motor vehicle being the dominant mode, and may include
23	telecommuting and compressed work weeks if those methods result in fewer
2.2,	commute trips.
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- D. Base year: The calendar year from January 1, 1992 through December 31, 1992. Goals for vehicle miles traveled (VMT) per employee and proportion of single-occupant vehicle trips (SOV) are based upon VMT and SOVs established in that year for the CTR zone.
- E. Commute Trips: Trips made from an employee's residence to a worksite for a regularly scheduled work day beginning between 6 a.m. and 9 a.m. (inclusive).
- F. CTR Plan: Seattle's commute trip reduction plan as set forth in this ordinance.
- G. CTR Program: An employer's strategy to reduce affected employees' SOV use and VMT per employee.
- H. CTR Zone: An area, such as a census tract or combination of census tracts within Seattle, characterized by similar employment density, population density, level of transit service, parking availability, access to high occupancy vehicle facilities, and other factors that affect the level of SOV commuting. One of the six areas shown on Attachment A.
- I. Director: The Director of the Seattle Engineering Department.
- J. Dominant Mode: The mode of travel used for the greatest distance of a commute trip.
- K. Employee: Any person who works for an employer in return for financial or other compensation, and whose workload and schedule is subject to the control of the employer. Employee does not include independent contractors.
- L. Equivalent Survey Information: Information that substitutes for the Washington State Energy Office goal measurement survey, as determined by the City.
- M. Full-time Employee: An employee, scheduled to be employed on a continuous basis for 52 weeks for an average of at least 35 hours per week.
- N. Mode: The type of transportation used by employees, such as single-occupant vehicle. rideshare, bicycle, walk, ferry and transit.
- O. Proportion of SOV Trips or SOV rate: The number of commute trips in the survey week made by affected employees in SOVs, minus any adjustments for telecommuting, bicycling, walking or compressed work schedules, divided by the total number of affected employee work-days during the survey week. An "affected employee work-day" includes any day that an employee does not work due to a compressed work schedule.
- P. Single-occupant Vehicle (SOV): A motor vehicle occupied by one employee for commute purposes, excluding motorcycles.
- Q. Vehicle Miles Traveled (VMT) Per Employee: The average commute trip length in miles made by affected employees over a set period, multiplied by the number of vehicle commute trips per affected employee during that period.

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- R. Worksite: A building or group of buildings on physically contiguous parcels of land or on parcels separated solely by private or public roadways or rights-of-way. Construction worksites when the expected duration of the construction project is less than two (2) years are excluded.
- S. Writing, Written or In Writing: Original signed and dated documents.

  Facsimile (fax) transmissions are a temporary notice of action that must be followed by the original signed and dated document via mail or delivery.

## 25,02,040 Employer's Commute Trip Reduction Program.

## A. Program Submittal and Implementation

1. This ordinance applies to any affected employer at any worksite within the City of Seattle. An affected employer must submit a CTR program to the Director within 180 days of the effective date of this ordinance regardless of whether the employer has received notice from the City that this ordinance applies to the employer. The purpose of an employer CTR program is to help achieve the goals set forth in 25.02.060.

An employer that becomes an "affected employer" after adoption of this ordinance shall develop and submit its initial CTR program to the Director within 180 days of the first Washington State Department of Employment Security's Employer's Quarterly Report of Employee's Wages published after becoming an affected employer.

An affected employer shall implement its approved CTR program within 180 days after the initial program is submitted to the Director. Implementation is accomplished by carrying out all of the program measures contained in an employer's CTR program.

## 2. Transportation Management Associations

In lieu of submitting an initial CTR program and annual report as described in 25.02.050, an affected employer may join a Transportation Management Association (TMA) or other organization that submits a single program or annual report on behalf of its members. In addition to describing program measures which are common to its members, the TMA's CTR program and annual report shall describe specific program measures which are unique to individual members' worksites. The TMA, as an agent for its members, shall provide performance data for each worksite, as well as data aggregated from all TMA members, to the Director. A TMA is subject to the same time period requirements as any single employer.

Each employer is responsible for meeting the requirements of this ordinance regardless of the employer's participation in a TMA. Program modifications shall be specific to an employer. If an employer elects to satisfy its CTR program requirements through a TMA program or annual report, the employer shall notify the Director in writing, designating the TMA as its agent.

## B. Program Content.

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Each employer CTR program shall include the following elements:

- Designation of Employee Transportation Coordinator. The employer shall designate a transportation coordinator to administer the CTR program and act as liaison with the Director. An affected employer with multiple worksites may have one transportation coordinator for all sites. The coordinator's and/or designee's name, location, and telephone number must be displayed prominently at each affected work site.
- 2. Distribution of Information. The employer shall provide a complete description of its CTR program to employees at least twice a year and to each new employee when he or she begins his or her employment. Each employer's program description and annual report must report the information to be regularly distributed and the method and frequency of distribution.
- 3. CTR Program Measures. An employer's initial CTR program shall include at least two of the following measures:
  - Provide bicycle parking facilities and/or lockers, changing areas, and showers for employees who walk or bicycle to work;
  - b. Provide commuter ride-matching services to facilitate employee ride-sharing for commute trips;
  - c. Provide subsidies for transit fares;
  - d. Provide employer vans or third party vans for vanpooling;
  - e. Provide subsidy for carpool and vanpool participation;
  - f. Permit the use of the employer's vehicles for carpool and/or vanpool commute trips;
  - g. Permit alternative work schedules such as a compressed work week that reduce commute trips by affected employees between 6:00 and 9:00 a.m. A compressed work week regularly allows a full-time employee to eliminate at least one work day every two weeks, by working longer hours during the remaining days, resulting in fewer commute trips by the employee;
  - h. Permit Alternative work schedules such as flex-time that reduce commute trips by affected employees between 6:00 and 9:00 a.m. Flex-time allows individual employees some flexibility in choosing the time, but not the number, of their working hours;
  - i. Provide preferential parking for high-occupancy vehicles;
  - j. Provide reduced parking charges for high-occupancy vehicles;

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- Cooperate with transportation providers to provide additional regular or express service to the work site (e.g., a custom bus service arranged specifically to transport employees to work);
- 1. Construct special loading and unloading facilities for transit, carpool and/or vanpool users;
- Provide and fund a program of parking incentives such as a cash payment for employees who do not use the parking facilities;
- n. Institute or increase parking charges for SOV's;
- o. Establish a program to permit employees to telecommute either part- or full-time, where telecommuting is an arrangement that permits an employee to work from home, eliminating a commute trip, or to work from a work center closer to home, reducing the distance traveled in a commute trip by at least half;
- Provide a shuttle between the employer's worksite and the closest park and ride lot, transit center, or principal transit street;
- q. Implement other measures designed and demonstrated to facilitate the use of non-SOV commute modes, which are agreed upon between the Director and the employer.
- 4. A description of any additional program measures included in the employer's CTR program.
- Assignment of responsibilities for implementing the CTR program, evidence of commitment to provide appropriate resources to carry out the CTR program, and a schedule of implementation; and
- Description of employer's CTR worksite characteristics. The employer program must include:
  - a. A general description of the affected employer worksite;
  - A general description of the availability of transportation to the worksite;
  - The total number of employees and affected employees at the worksite;
  - d. Site or operational conditions which may affect an employee's choice of commute mode.
- 7. Record Keeping. The CTR program shall include a list of the records to be maintained by the employer in implementing the program. Employers will maintain all records listed in their CTR program for twenty-four (24) months.

## C. Program Review and Approval.

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 The Director shall review each employer's initial CTR program to determine if it has met the minimum requirements of this CTR ordinance.

The Director shall complete review of each employer's initial CTR program and annual reports within ninety (90) days of the date the employer submits the program or report to the Director, and notify the employer in writing whether or not the program or report has been approved, and the reasons for approval or disapproval.

- No later than thirty (30) days before the initial CTR program
  description or annual report is to be submitted, an employer may
  request a thirty (30) day extension to submit that document. An
  extension shall be granted and shall not exceed thirty (30) days.
- 3. Beginning in 1995, the Director shall review each employer's annual report to determine the employer's progress toward achieving its SOV and VMT goals.
  - a. The Director shall issue a decision approving an employer's CTR program if the annual report demonstrates that either the SOV goal or VMT goal has been achieved for the current year, or the preceding year (if the current year is even numbered).
  - b. If neither goal is met the employer shall, in its annual report, propose changes to its CTR program measures, and the schedule for implementing these measures, which it believes will help achieve the goals, provided that the revised program must include at least two of the measures listed in 25.C2.040 B.3. The Director shall work with the employer to change its CTR program and identify additional program measures and a schedule for implementing them, in furtherance of goal attainment.

When determining whether to approve changes to a CTR program, the Director shall consider the likelihood that the changes will help achieve the goals, based on the following criteria:

- The extent to which the employer has implemented the program and attained the CTR goals.
- The extent to which the employer has demonstrated a commitment to implementing the program and achieving the goals.
- Diversity of modes and CTR strategies included in the program.

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- Characteristics of pedestrian, bicycle, transit, ferry, road, and HOV access and facilities available to the employer's worksite.
- Expected benefit to be derived from a specific program element as well as its effect on the entire program.
- Effect on reducing the relative cost or improving the convenience of commuting by non-SOV modes versus by SOV.
- (1) If the Director approves the proposed program changes, then the Director shall issue a final decision, and the changes shall be made in the program and implemented by the employer.

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- (2) If the Director determines that the proposed program is insufficient, or unlikely to help achieve the goals, the Director shall recommend changes to the program which can reasonably be expected to be effective. The Director's preliminary decision shall be in writing, and mailed to the employer within ninety (90) days of the date the annual report is submitted.
  - (a) An affected employer may request that the Director reconsider a preliminary decision regarding its CTR program elements, except for the minimum requirements of 25.02.040 B. The employer may apply in writing for reconsideration of the preliminary decision within fifteen (15) days of the date the Director's preliminary decision is mailed to the employer. The Director shall meet with the employer to discuss program changes if the application for reconsideration includes a request for a meeting. The Director shall give the employer a written response to the request for reconsideration.
  - (b) An employer who disagrees with a preliminary decision by the Director regarding the approval of the employer's CTR program or changes to the program, may ask the Peer Review Panel to consider the issue in disagreement. The Peer Review Panel shall make a recommendation to the Director following meeting with the employer, if the employer requests a meeting.
  - (c) The Director shall make a final decision regarding changes to an employer's CTR program within sixty (60) days of making a preliminary decision, based upon consideration of the Peer Review Panel recommendation and the preliminary decision.

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			(d)	Within thirty (30) days of written notification of the Director's final decision regarding required program modifications, an employer shall incorporate these modifications into its CTR
1				program and submit a revised CTR program description, including the required modifications
2				or equivalent measures, to the Director.
3				yer does not submit an initial CTR program or an to request for an extension or reconsideration is
4	Control of the Contro	filed, the D preliminary		hall issue a final decision without first issuing a
5	25.02.	050 Employer's	Annual	Report
6	A.	Submittal	,	Topott
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8				submit an annual CTR report to the Director, nual reporting date assigned by the Director after
9		reviewing the emp on the same date e	loyer's in	nitial CTR program. Annual reports shall be due
10				ior to the date an annual report is due an employer
11				ay extension to complete its annual report. This the normal reporting date for subsequent years.
12	В.	Content		•
13		The annual report	shall inc	lude;
14		1. A description	on of eac	ch CTR program measure that was undertaken
15		during the	year;	
16		2. The number measures;	er of emp	oloyees participating in each of the CTR program
17				e effectiveness of the CTR program; and if
18		necessary,	a descrip	otion of proposed revisions to the CTR program to

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- e CTR program to help achieve the CTR goals;
- 4. A description of the method and frequency by which the information required by the approved CTR program was distributed;
- 5. A statement of the employer's method of measuring its VMT per employee, using either the average zonal trip length or the employer's average trip length from a survey;
- Survey information or approved equivalent information must be 6. provided in the 1995. 1997, and 1999 reports. Employee surveys of commuting behavior will be the primary source of data about an employer's CTR program performance. Washington State Energy Office goal measurement questionnaires shall be used to measure

affected employers' progress towards goal attainment, unless the Director approves equivalent information which is provided by the employer.

Instead of surveying all affected employees at a worksite, an employer may conduct a survey based on a sample of its affected employees if there are at least 500 affected employees at its worksite. The employer must demonstrate to the Director that the sampling method is in accordance with generally accepted methods before the sampling is undertaken.

A minimum response rate of seventy percent (70%) of all affected employees in the population or seventy percent (70%) of the sample is required. When a seventy percent (70%) response rate is not achieved, an employer shall either:

- a. Provide supporting information, approved by the Director, to document mode choice of affected employees. This information may include transit pass sales, records of rideshare subsidies, parking lot counts (where affected employees' actual commute trip behavior is measured between 6 and 9 a.m.) when access and egress points are completely monitored; or
- b. Designate all non-responses below seventy percent (70%) of the affected employee population/sample as SOV trips; or
- c. Use a combination of options a. and b. above, if approved by the Director.

25.02.060 Commute Trip Reduction Goals, Zones and Base Year Values

## A. Employer CTR Goals.

The goals for commute trip vehicle miles traveled per employee and proportion of single-occupant vehicles are a fifteen percent (15%) reduction by Island 1, 1995, a twenty-five percent (25%) reduction by January 1, 1997 and 2 cty-five percent (35%) reduction by January 1, 1999, from the base year value of the commute trip reduction zone in which the worksite is located.

An employer that becomes an affected employer after January 1, 1994 has two (2) years from the time it becomes affected to meet the closest preceding reduction goal and four (4) years to meet the subsequent goal. For example, an employer who becomes an affected employer in July 1998 has until July 2000 to achieve a twenty-five percent (25%) reduction and until July 2002 to achieve a thirty-five percent (35%) reduction.

1. If an affected employer drops below one hundred (100) affected employees and then returns to affected employer status within the same twelve (12) month period, that employer will be a re-affected employer, and will be subject to the same program goals that would have applied had it not dropped below one hundred (100) employees.

2.	If an affected employer drops below one hundred (100) affected
	employees and then returns to affected employer status after twelve (12)
	months, it will be deemed a newly affected employer and will be
	subject to the same goals as other newly affected employers.

- 3. It is the responsibility of the employer to notify the Director and provide documentation of its change in status as an affected employer.
- B. CTR Zones.

Commute trip reduction zones for affected employers are shown in Attachment A.

C. Base Year Values and Modifications.

Base year values for determining proportion of SOV trips and VMT per employee are identified in Attachment B for each CTR zone. An employer may modify its base year values by meeting either of the following two conditions:

- 1. If an affected employer can demonstrate that its worksite is contiguous with a CTR zone boundary and that the worksite conditions affecting alternative commuting options are similar to those for employers in the adjoining CTR zone, the employer's worksite may be made subject to the base year values for VMT per employee and SOV trips in the adjoining zone. The employer may only request this base year value modification at least thirty (30) days prior to its initial CTR program submittal.
- 2. Beginning in 1995, if an affected employer can demonstrate that as a result of special characteristics of its business or its location, its SOV base year value as determined by survey results is more than fifteen (15) percentage points higher than the base year value for its zone, the affected employer may use its survey to apply for a modification of its SOV base year value. If the modification is granted, the employer's surveyed proportion of SOV per employee will serve as the employer's SOV base year value.

The survey must be conducted in conformance with this ordinance and a seventy percent (70%) response rate shall be required for an employer to be eligible to modify its base year value. For example, if a TR zone's base year value for proportion of SOV is seventy-four percent (74%), and an employer's survey demonstrates that its proportion of SOV is ninety percent (90%), the employer may apply for a modification of its base year value to conform with its survey results.

25.02.070 Exemptions, Credit and Adjustment to Definition of Affected Employee.

#### A. Exemptions.

Beginning in 1995, an affected employer may apply to the Director for an exemption from all CTR program requirements for a particular worksite.

The Director may grant an exemption upon finding that, as a result of special characteristics of the employer's business or its location, the employer is unable to implement any requirements of Section 25.02.040. A request for an exemption must be made in writing no sooner than ninety (90) days after the employer's first annual report due date. The Director shall annually review all employer exemptions, and shall determine whether the exemption will be in effect during the following program year.

B. Credit for Successful Transportation Demand Management Program.

In either the initial CTR program description or any annual report, an affected employer who has already met both the VMT per employee and proportion of SOV trips goals for one or more future goal years, may request a waiver from the requirement to submit the following year's annual report and from the required CTR program measures, except for the requirements to report performance in annual reports for the goal years. An employer receiving this waiver must commit in writing to continue its current CTR level of effort.

If any of the goal year annual reports indicates the employer does not satisfy the next applicable year's goal, the employer shall immediately become subject to all requirements of this ordinance.

Requests for credit shall include results from a survey of employees, or equivalent information that establishes the applicant's reduction of VMT per employee and reduction of proportion of SOV trips. The survey or equivalent information shall conform to all applicable standards established in this ordinance.

C. Credit for Telecommuting, Bicycling, Walking and Compressed Work Week Schedules.

Trips avoided by telecommuting and compressed work week schedules, and trips made by bicycling and walking, shall be multiplied by two-tenths (0.2) and subtracted from the number of SOV commute trips when calculating the proportion of SOV vehicle trips and VMT per employee.

- D. Adjustment to the Calculation of Affected Employee.
  - 1. An affected employer may request an adjustment to the calculation of affected employee if the employer can demonstrate that it requires certain employees to use the vehicles they drive to work during the work day for work purposes. Any employee who needs frequent and regular access to the vehicle he or she drives to work, for which no reasonable alternative commute mode exists, will not be included in the calculations of proportion of SOV trips and VMT per employee used to determine the employer's progress toward program goals.

The employer shall provide documentation indicating how many employees meet this condition and why.

Seasonal agricultural employees, including seasonal employees of processors of agricultural products, are excluded from the count of affected employees.

2. An affected employer may request an adjustment to the calculation of affected employee if it can demonstrate that it requires full-time employees to work varying shifts, so that these employees sometimes begin their shift between 6 a.m. to 9 a.m. and at other times begin their shifts outside that time period. The employer shall provide documentation indicating how many employees meet this condition and must demonstrate that no reasonable alternative commute trip reduction program can be developed for these employees. Under this condition, the applicable goals will not be changed, but those full-time employees working varying shifts need not be included in the calculations of proportion of SOV trips and VMT per employee used to determine the employer's progress toward program goals.

Adjustments to the calculation of affected employee shall not apply to full-time employees who rotate shifts together, as a group.

3. An adjustment to the calculation of affected employee for the purpose of determining employer progress toward achieving the CTR goals does not change whether the employer is subject to this ordinance.

## 25.02.080 Appeal of Director's Final Decision

- A. An affected employer may appeal the Director's final decision regarding exemptions, changes to its CTR program measures, credits, adjustments to the calculation of affected employee, and violations to the CTR Appeals Board. The notice of appeal must be filed with the Director within fifteen (15) days after the Director's final decision is mailed to the employer.
- B. The Appeals Board shall review the appeal to determine if the Director's final decision is consistent with RCW 70.94 and this ordinance. If the Appeals Board determines that the decision is inconsistent, it shall reverse or modify the decision as appropriate. If the Appeals Board determines that the decision is consistent, the Director's final decision shall be upheld.

### 25,02,090 Penalties

#### A. Civil Penalties

The Director shall notify the employer of his intent to impose a civil penalty for violation of this ordinance. The Director may not impose a penalty until the completion of the administrative appeal authorized by SMC 25.02.080.

An affected employer who commits any of the following acts is subject to a civil penalty as a class I civil infraction pursuant to RCW 7.80.120, as provided herein:

1. Failure to submit a CTR program or annual report to the Director as required by this ordinance. Each day of failure to submit a CTR program or annual report shall constitute a separate violation and is subject to a civil penalty. The penalty for each violation shall be \$250 per day.

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		2.	Failure to implement a unacceptable CTR pro- receiving notice of vic approved CTR progra separate violation and
1			violation shall not exc
2			degree of failure to in
3		3.	Failure to make availa an annual report as re
4			failure to provide requestible to divide penalty
5			per day.
6	В.		ant to RCW 70.94.534 ties if a violation was the
7		certif	ied collective bargaining
8			I by an employer and p esumed to act in good t
9		1.	Proposes to a recogni
10			program that is subject Relations Act; and
1 1		2.	Advises the union of
12			the CTR program approposal being made
13			70.94.531).
14	C.	Crim	inal Penalties
15		and 1	mployer who submits a ocal laws making it a c
16		inclu	de, but are not limited
17	25.02	.100	Administration
18	Α.	Auth	ority to Promulgate Ad
19		The	Director is authorized t
20	В.	Peer	Review Panel.
21			Director shall appoint f

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2.	Failure to implement an approved CTR program or change an
	unacceptable CTR program measure after the first goal year, after
	receiving notice of violation. Each day of failure to implement an
	approved CTR program or individual CTR program measure is a
	separate violation and is subject to civil penalty. The penalty for each
	violation shall not exceed \$250 per day and shall be based on the
	degree of failure to implement.

- able to the Director any documentation supporting equired pursuant to 25.02.050 B.6. Each day of uired documentation is a separate violation and is y. The penalty for each violation shall be \$250
- (4), an employer shall not be liable for civil ne result of an inability to reach agreement with a g agent under applicable laws where the issue was ursued in good faith. A unionized employer shall faith if it:
  - zed union any provision of the employer's CTR ct to bargaining as defined by the National Labor
  - the existence of the statute and the mandates of proved by the City, and advises the union that the is necessary for compliance with state law (RCW

report pursuant to this ordinance is subject to state rime to submit false information. These laws to, RCW 9A.76.020 and SMC 12A.16.040.

ministrative Rules.

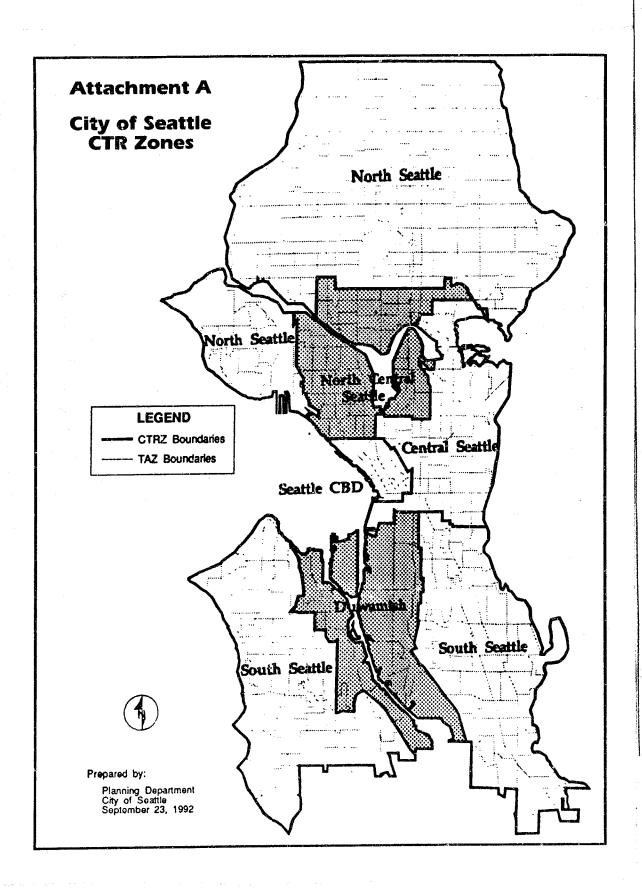
o promulgate rules to implement this ordinance.

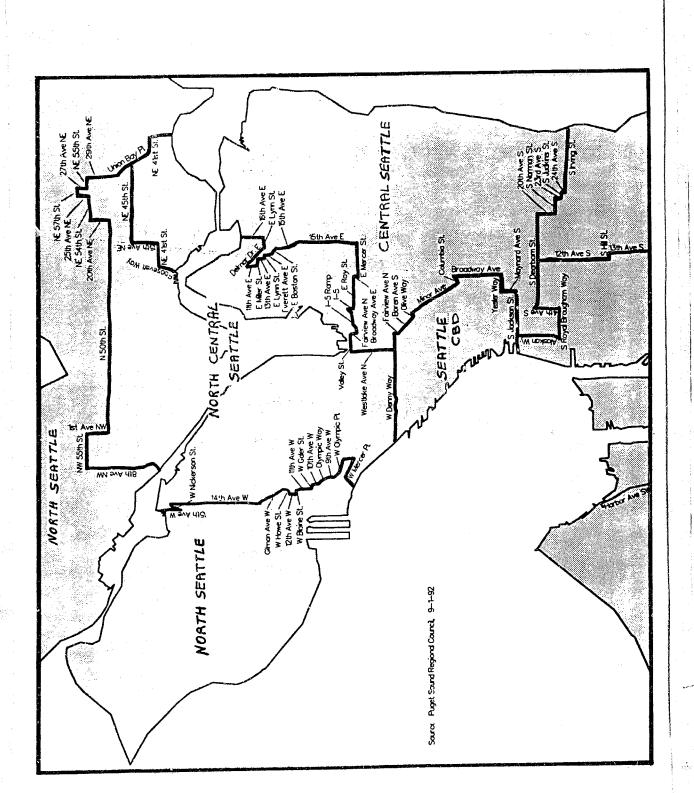
five (5) public and private sector employers to a of appointment are two (2) years, and members may be reappointed. The Peer Review Panel may consider employer disagreements with preliminary decisions by the Director regarding exemptions, credits, applicability of this ordinance to the employer, violations, calculations of affected employees, and approval of the employer's CTR program or changes to the program.

1 2	The three (3) members of the Appeals Board are a Director of a City Department designated by the Mayor, a member of the Seattle Planning Commission designated by the chair of the Planning Commission, and a private sector employer appointed by the City Council. Terms of appointment are two (2) years and members may be reappointed.
3	Section 2. In compliance with RCW 70.94.527(4)e, the city has reviewed its
4	parking policies. The City expects to further analyze parking policies and ordinances
5	in conjunction with the land use planning and implementation actions taken in
6	response to the Growth Management Act, RCW 36.70A.
7	Section 3. This ordinance shall become effective on June 4, 1993.
8	Section 4. If any provision of this ordinance or its application to any person
9	or circumstance is held invalid, the remainder of this ordinance or the application of
10	the provision to other persons or circumstances is not affected.
11	PASSED by the City Council the day of april, 1993, and signed by me
12	
13	in open session in authentication of its passage this day of of open, 1993.
14	
15	President of the City Council proten
16	President of the City Council protein
17	0.00
18	Approved by me this and day of Opail, 1993.
19	Mornan Bhice
20	Mayor Mayor
- 21	Filed by me this 39 day of april , 1993.
22	Filed by me this <u>a</u> day of <u>april</u> , 1993.
23	
24	
25	(SEAL)  By: Moraut (btt)  Deputy Clerk
26	Deputy Clerk
27	ORD2-396 - 15 -
28	

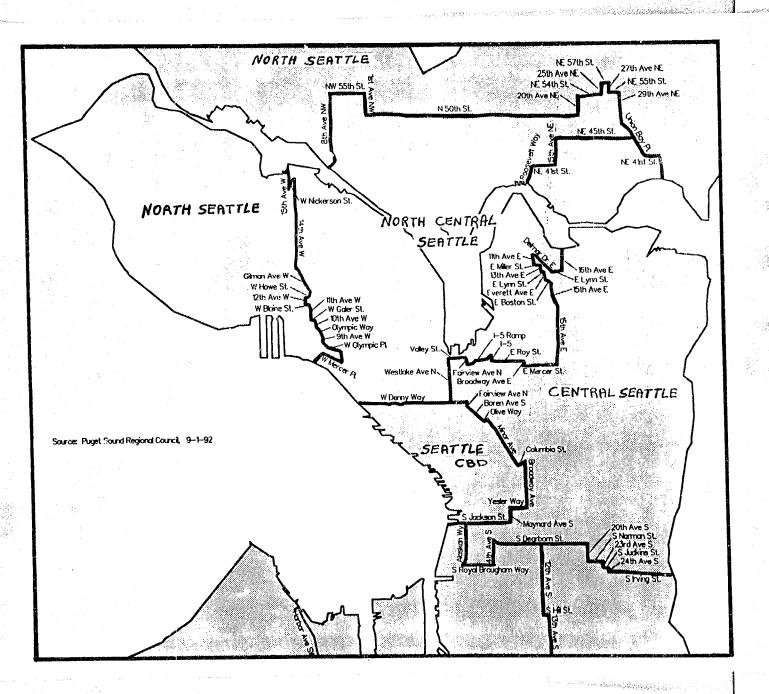
C.

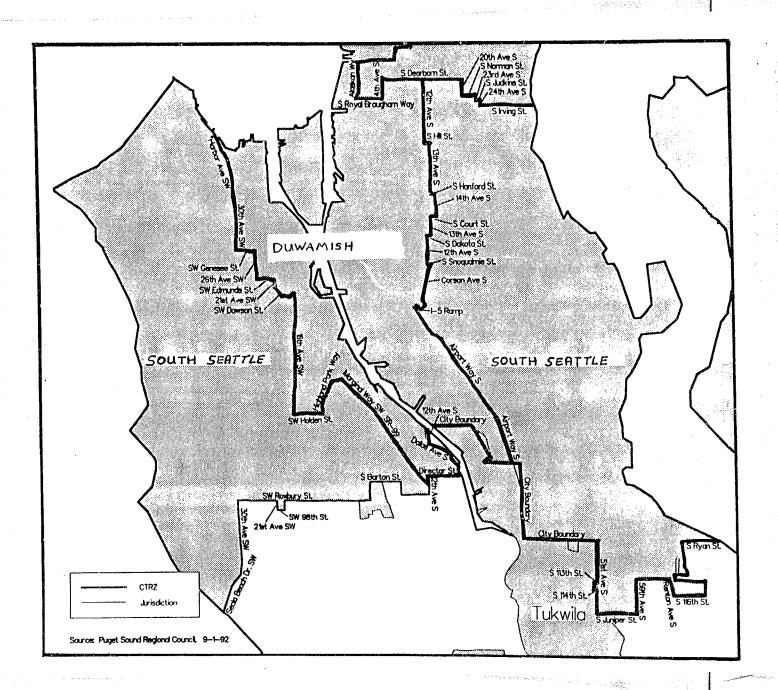
Appeals Board.





ICE: IF THE DOCUMENT IN THIS-FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

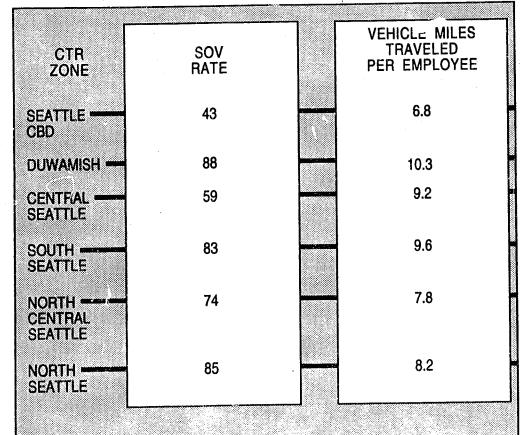




Sample And State

## Attachment B

# CTR ZONE BASE-YEAR VALUES BASED ON ADJUSTED SOV RATES (King County - September 15th, 1992)



## TIME AND DATE STAMP

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## Your City, Seattle

PLANNING DEPARTMENT

J. Gary Lawrence, Director Norman B. Rice, Mayor



## March 17,1993

#### MEMORANDUM

To: The Honorable George Benson, President, Seattle City

Council

VIA: The Honorable Norman B. Rice, Mayor, City of Seattle

ATTN: Diana Gale, Director, Office of Management and Budget

FROM: J. Gary Lawrence, Director, Planning Department

SUBJECT: Commute Trip Reduction Ordinance

#### ACTION REQUESTED

Approval of the attached ordinance. This ordinance will add to title 25, Seattle Municipal Code, a new chapter numbered, 25.02 Commute Trip Reduction. All of the local jurisdiction ordinance elements required by RCW 70.94.527 are in this CTR ordinance. It is also consistent with the State CTR Task Force Guidelines issued in July 1992.

## FISCAL IMPACT

Seattle's implementation of the CTR ordinance is funded through state grant money distributed by King County. The Engineering Department has analyzed costs and revenue through June 1995, and has concluded that the ordinance can be administered within the grant funding projected for Seattle. The State will be

## ALTERNATIVE ACTION

The alternative action is not to comply with RCW 70.94.527 by not adopting a CTR ordinance for Seattle.

Thank you for your consideration.

## OMB LEGISLATION REVIEW FORM

Analyst: Goldstein Date: March 15, 1993 Department: Engineering

Purpose of Legislation:

Implements the City's Commute Trip Reduction Plan.

General Fund Costs \$200,000 (on-going) Total Costs \$500,000 (on-going)

Eackground: (one paragraph)

This ordinance implements the Washington Clean Air Act requiring local jurisdictions to take specific measures to reduce single occupant commute trips. This ordinance applies to all employers with 100 or more employees.

Overview: (one paragraph)

The ordinance establishes timetables, rules and regulations for large employer to follow in implementing commute trip reduction programs. It also establishes reporting requirements, an appeals process, and programs goals. Following enactment of this ordinance, employers must submit submit commute reduction plans to the City within 180 days.

Policy Impact: (one paragraph)

The ordinance may provide enough incentives to encourage an increase in transit use and perhaps car pooling, and thus a small net improvement in air quality. However, the ordinance does not require employers to meet goals in their trip reduction plans, but only requires that they make a good faith effort to establish bonafide programs. Thus, achievement of the stated goal is by no means guaranteed. In addition, potential compliance costs for employers may be significant, and on-going costs to the City are probably understated.

Please attach this legislation review form to the front of the blue jacket.

JB/rsac

## City of Seattle

Executive Department—Office of Management and Budget

Diana Gale, Director Norman B. Rice, Mayor



March 15, 1993

The Honorable Mark sidram City Attorney City of Seattle

Dear Mr. Sidran:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING Engineering DEPARTMENT

AN ORDINANCE adopting a Commute Trip Reduction Plan; adding a new Chapter 25.02 to the Seattle Municipal Code; establishing requirements for major employers to implement the Washington Clean Air Act; and prescribing penalties.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, please forward the Legislation to the City Council. Any specific questions regarding the legislation can be directed to Bob Goldstein at 684-8075 (OMB) or Joan Rosenstock at 684-8056 (Planning).

sincerely,

Norman B. Rice

Mayor

Diana Gale

Budget Director

Enclosure

Director, Engineering

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2	An ORDINANCE adopting a Commute Trip Reduction Plan; adding a new Chapter 25.02 to the Seattle Municipal Code; establishing requirements for major employers to			
3	implement the Washington Clean Air Act; and prescribing penalties.			
4	WHEREAS, the Washington State Clean Air Act, RCW 70.94.521-551, requires local			
5	governments to adopt ordinances and plans to reduce single-occupant vehicle commute trips: and			
6	WHEREAS, the Clean Air Act requires major employers to develop and implement			
7	commute trip reduction programs which are approved by local government;			
8	WHEREAS, the City Council finds that this ordinance is necessary to implement the			
9	Clean Air Act and to protect the health, safety and welfare of the general public;			
10	NOW, THEREFORE,			
11	BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEATTLE AS			
12	FOLLOWS:			
13				
14	Section 1. There is hereby added to title 25, Seattle Municipal Code, a new			
15	chapter to be numbered, titled and to read as follows:			
	Chapter 25.02			
16	COMMUTE TRIP REDUCTION			
17				
18	Table of Contents			
	25.02.010 Title			
19	25.02.020 Purpose 25.02.030 Definitions			
20	25 02 040 Employer's Commute Trip Reduction Program			
21	25.02.040 A. Program Submittal and Implementation			
	25.02.040 B. Program Content 25.02.040 B. 1. Employee Transportation Coordinator			
22	25.02.040 B. 2. Distribution of Information			
23	25.02.040 B. 3. CTR Program Measures 25.02.040 B. 4. Additional Program Measures			
0.4	25.02.040 B. 5. CTR Worksite Characteristics			
24	25.02.040 B. 6. Record Keeping			
25	25.02.040 C. Program Review and Approval 25.02.050 Employer's Annual Report			
26	25.02.050 A. Submittal			
	25.02.050 B. Content			
27				

ORDINANCE\_

1				
	Table of Contents (continued)			
2	25. 22.060 Commute Trip Reduction Goals, Zones and Base Year Values			
3	25.02,060 A. Employer's CTR Goals			
4	25.02.060 B. CTR Zones 25.02.060 C. Base Year Values and Modifications			
_	25.02.070 Exemptions, Credit, and Adjustment to Calculation of Affected Employee			
5	25.02.070 A Exemptions			
6	25.02.070 B. Credit for Successful TDM Program			
7	25.02.070 C. Credit for Telecommuting, Bicycling, etc. 25.02.070 D. Adjustment to Definition of Affected Employee			
•	25.02.080 Appeal of Director's Final Decision			
8	25.02.090 Civil Penalties 25.02.100 Administration			
9	25.02.100 Administration 25.02.100 A. Authority to Promulgate Administrative Rules			
	25,02,100 B. Peer Review			
10	25.02.100 C. Appeals Board			
11	25.02.010 Title.			
12	This chapter shall be known and may be cited as the "Seattle Commute Trip			
13	Reduction Ordinance."			
14	25.02.020 Purpose.			
15	The purpose of this chapter is to implement the Washington State Clean Air Act, RCW 70.94.521-551.			
16				
	25.02.030 Definitions.			
17	For the purposes of this chapter the following words or phrases are defined as			
18	described below.			
19	A. Affected employee: A full-time employee who begins his or her regular work			
20	day at a single worksite between 6 a.m. and 9 a.m. (inclusive) on two or more weekdays.			
20	B. Affected employer: A private or public employer that for twelve (12)			
21	continuous months employs one hundred (100) or more full-time employees at			
22	a single worksite who are scheduled to begin their regular work day between 6:00 a.m. and 9:00 a.m. (inclusive) on two or more weekdays, even if the			
23	identity of the employees varies over time. This is equivalent to the term			
	"major employer" used in RCW 70.94.521-551.			
24	C. Alternative mode: A method of commuting to work other than a single-			
25	occupant motor vehicle being the dominant mode, and may include			
26	telecommuting and compressed work weeks if those methods result in fewer commute trips.			

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- Base year: The calendar year from January 1, 1992 through December 31, 1992. Goals for vehicle miles traveled (VMT) per employee and proportion of single-occupant vehicle trips (SOV) are based upon VMT and SOVs established in that year for the CTR zone.
- E. Commute Trips: Trips made from an employee's residence to a worksite for a regularly scheduled work day beginning between 6 a.m. and 9 a.m. (inclusive).
- F. CTR Plan: Seattle's commute trip reduction plan as set forth in this ordinance.
- G. CTR Program: An employer's strategy to reduce affected employees' SOV use and VMT per employee.
- H. CTR Zone: An area, such as a census tract or combination of census tracts within Seattle, characterized by similar employment density, population density, level of transit service, parking availability, access to high occupancy vehicle facilities, and other factors that affect the level of SOV commuting. One of the six areas shown on Attachment A.
- I. Director: The Director of the Seattle Engineering Department.
- J. Dominant Mode: The mode of travel used for the greatest distance of a commute trip.
- K. Employee: Any person who works for an employer in return for financial or other compensation, and whose workload and schedule is subject to the control of the employer. Employee does not include independent contractors.
- L. Equivalent Survey Information: Information that substitutes for the Washington State Energy Office goal measurement survey, as determined by the City.
- M. Full-time Employee: An employee, scheduled to be employed on a continuous basis for 52 weeks for an average of at least 35 hours per week.
- N. Mode: The type of transportation used by employees, such as single-occupant vehicle, rideshare, bicycle, walk, ferry and transit.
- O. Proportion of SOV Trips or SOV rate: The number of commute trips in the survey week made by affected employees in SOVs, minus any adjustments for telecommuting, bicycling, walking or compressed work schedules, divided by the total number of affected employee work-days during the curvey week. An "affected employee work-day" includes any day that an employee does not work due to a compressed work schedule.
- P. Single-occupant Vehicle (SOV): A motor vehicle occupied by one employee for commute purposes, excluding motorcycles.
- Q. Vehicle Miles Traveled (VMT) Per Employee: The average commute trip length in miles made by affected employees over a set period, multiplied by the number of vehicle commute trips per affected employee during that period

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- Worksite: A building or group of buildings on physically contiguous parcels of land or on parcels separated solely by private or public roadways or rights-of-way. Construction worksites when the expected duration of the construction project is less than two (2) years are excluded.
- S. Writing, Written or In Writing: Original signed and dated documents.

  Facsimile (fax) transmissions are a temporary notice of action that must be followed by the original signed and dated document via mail or delivery.

25.02.040 Employer's Commute Trip Reduction Program.

- A. Program Submittal and Implementation
- 1. This ordinance applies to any affected employer at any worksite within the City of Seattle. An affected employer must submit a CTR program to the Director within 180 days of the effective date of this ordinance regardless of whether the employer has received notice from the City that this ordinance applies to the employer. The purpose of an employer CTR program is to help achieve the goals set forth in 25.02.060.

An employer that becomes an "affected employer" after adoption of this ordinance shall develop and submit its initial CTR program to the Director within 180 days of the first Washington State Department of Employment Security's Employer's Quarterly Report of Employee's Wages published after becoming an affected employer.

An affected employer shall implement its approved CTR program within 180 days after the initial program is submitted to the Director. Implementation is accomplished by carrying out all of the program measures contained in an employer's CTR program.

2. Transportation Management Associations

In lieu of submitting an initial CTR program and annual report as described in 25.02.050, an affected employer may join a Transportation Management Association (TMA) or other organization that submits a single program or annual report on behalf of its members. In addition to describing program measures which are common to its members, the TMA's CTR program and annual report shall describe specific program measures which are unique to individual members' worksites. The TMA, as an agent for its members, shall provide performance data for each worksite, as well as data aggregated from all TMA members, to the Director. A TMA is subject to the same time period requirements as any single employer.

Each employer is responsible for meeting the requirements of this ordinance regardless of the employer's participation in a TMA. Program modifications shall be specific to an employer. If an employer elects to satisfy its CTR program requirements through a TMA program or annual report, the employer shall notify the Director in writing, designating the TMA as its agent.

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B. \ Program Content.

Each employer CTR program shall include the following elements:

- Designation of Employee Transportation Coordinator. The employer shall designate a transportation coordinator to administer the CTR program and act as liaison with the Director. An affected employer with multiple worksites may have one transportation coordinator for all sites. The coordinator's and/or designee's name, location, and telephone number must be displayed prominently at each affected work site.
- 2. Distribution of Information. The employer shall provide a complete description of its CTR program to employees at least twice a year and to each new employee when he or she begins his or her employment. Each employer's program description and annual report must report the information to be regularly distributed and the method and frequency of distribution.
- 3. CTR Program Measures. An employer's initial CTR program shall include at least two of the following measures:
  - a. Provide bicycle parking facilities and/or lockers, changing areas, and showers for employees who walk or bicycle to work;
  - b. Provide commuter kide-matching services to facilitate employee ride-sharing for commute trips;
  - c. Provide subsidies for transit fares;
  - d. Provide employer vans or third party vans for vanpooling;
  - e. Provide subsidy for carpool and vanpool participation;
  - f. Permit the use of the employer's vehicles for carpool and/or vanpool commute trips;
  - g. Permit alternative work schedules such as a compressed work week or flex-time that reduce commute trips by affected employees between 6 and 9 A.M. A compressed work week regularly allows a full-time employee to eliminate at least one work day every two weeks, by working longer hours during the remaining days, resulting in fewer commute trips by the employee. Flex-time allows individual employees some flexibility in choosing the time, but not the number, of their working hours;
  - h. Provide preferential parking and/or reduced parking charges for high-occupancy vehicles;
  - i. Cooperate with transportation providers to provide additional regular or express service to the work site (e.g., a custom bus service arranged specifically to transport employees to work);

1	· ·		j.	Construct special loading and unloading facilities for transit, carpool and/or vanpool users;
2			k.	Provide and fund a program of parking incentives such as a cash payment for employees who do not use the parking facilities;
3	-	. \	\	
4			I/	Institute or increase parking charges for SOV's;
5	.1		m.	Establish a program to permit employees to telecommute either part- or full-time, where telecommuting is an arrangement that
6 , , ,				permits an employee to work from home, eliminating a commute trip, or to work from a work center closer to home,
7	-			reducing the distance traveled in a commute trip by at least half;
<b>8</b> *			n.	Provide a shuttle between the employer's worksite and the closest park and ride lot, transit center, or principal transit
9				street;
10			0.	Implement other measures designed and demonstrated to facilitate the use of non-SOV commute modes, which are agreed
11				upon between the Director and the employer.
12		4.	A de	scription of any additional program measures included in the over's CTR program.
13			-	
14		5.		ription of employer's CTR worksite characteristics. The employer ram must include:
15			a.	A general description of the affected employer worksite;
16			b.	A general description of the availability of transportation to the worksite;
17			c.	The total number of employees and affected employees at the
18			С.	worksite;
19			d.	Assignment of responsibilities for implementing the CTR
20				program, evidence of commitment to provide appropriate resources to carry out the CTR program, and a schedule of
21	-			implementation; and
22			e.	Site or operational conditions which may affect an employee's choice of commute mode.
23		6.	Rec	ord Keeping. The CTR program shall include a list of the records
24			to h	e maintained by the employer in implementing the program.  ployers will maintain all records listed in their CTR program for
25			twe	nty-four (24) months.
26	C.	Prog		eview and Approval.
27		1.	The	e Director shall review each employer's initial CTR program to ermine if it has met the minimum requirements of this CTR
28				inance.

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The Director shall complete review of each employer's initial CTR program and annual reports within ninety (90) days of the date the employer submits the program or report to the Director, and notify the employer in writing whether or not the program or report has been approved, and the reasons for approval or disapproval.

- 2. No later than thirty (30) days before the initial CTR program description or annual report is to be submitted, an employer may request a thirty (30) day extension to submit that document. An extension shall be granted and shall not exceed thirty (30) days.
- 3. Beginning in 1995, the Director shall review each employer's annual report to determine the employer's progress toward achieving its SOV and VMT goals.
  - a. The Director shall issue a decision approving an employer's CTR program if the annual report demonstrates that either the SOV goal or VMT goal has been achieved.
  - b. If neither goal is met the employer shall, in its annual report, propose changes to its CTR program measures, and the schedule for implementing these measures, which it believes will help achieve the goals, provided that the revised program must include at least two of the measures listed in 25.02.040 B.3. The Director shall work with the employer to change its CTR program and identify additional program measures and a schedule for implementing them, in furtherance of goal attainment.

When determining whether to approve changes to a CTR program, the Director shall consider the likelihood that the changes will help achieve the goals, based on the following criteria:

- The extent to which the employer has implemented the program and attained the CTR goals.
- The extent to which the employer has demonstrated a commitment to implementing the program and achieving the goals.
- Diversity of modes and CTR strategies included in the program.
- Characteristics of pedestrian, bicycle, transit, ferry, road, and HOV access and facilities available to the employer's worksite.
- Expected benefit to be derived from a specific program element as well as its effect on the entire program.

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Effect on reducing the relative cost or improving the convenience of commuting by non-SOV modes versus by SOV.

(1) If the Director approves the proposed program changes, then the Director shall issue a final decision, and the changes shall be made in the program and implemented by the employer.

(2)

If the Director determines that the proposed program is insufficient, or unlikely to help achieve the goals, the Director shall recommend changes to the program which can reasonably be expected to be effective. The Director's preliminary decision shall be in writing, and mailed to the employer within ninety (90) days of the date the annual report is submitted.

An affected employer may request that the Director reconsider a preliminary decision regarding its CTR program elements, except for the minimum requirements of 25.02.040 B. The employer may apply in writing for reconsideration of the preliminary decision within fifteen (15) days of the date the Director's preliminary decision is mailed to the employer. The Director shall meet with the employer to discuss program changes if the application for reconsideration includes a request for a meeting. The Director shall give the employer a written response to the request for reconsideration.

- (b) An employer who disagrees with a preliminary decision by the Director regarding the approval of the employer's CTR program or changes to the program, may ask the Peer Review Panel to consider the issue in disagreement. The Peer Review Panel shall make a recommendation to the Director following meeting with the employer, if the employer requests a meeting.
- (c) The Director shall make a final decision regarding changes to an employer's CTR program within sixty (60) days of making a preliminary decision, based upon consideration of the Peer Review Panel recommendation and the preliminary decision.

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- (d) Within thirty (30) days of written notification of the Director's final decision regarding required program modifications, an employer shall incorporate those modifications into its CTR program and submit a revised CTR program description, including the required modifications or equivalent measures, to the Director.
- A. If an affected employer does not submit an initial CTR program or an annual report, and no request for an extension or reconsideration is filed, the Director shall issue a final decision without first issuing a preliminary decision.

25.02.050 Employer's Annual Report

## A. Submittal

An affected employer shall submit an annual CTR report to the Director, beginning with the 1993 annual reporting date assigned by the Director after reviewing the employer's initial CTR program. Annual reports shall be due on the same date each year

At least thirty (30) days prior to the date an annual report is due an employer may request a thirty (30) day extension to complete its annual report. This extension shall not change the normal reporting date for subsequent years.

## B. Content

The annual report shall include:

- 1. A description of each CTR program measure that was undertaken during the year;
- 2. The number of employees participating in each of the CTR program measures;
- 3. An evaluation of the effectiveness of the CTR program; and if necessary, a description of proposed revisions to the CTR program to help achieve the CTR goals;
- 4. A description of the method and frequency by which the information required by the approved CTR program was distributed;
- 5. A statement of the employer's method of measuring its VMT per employee, using either the average zonal trip length or the employer's average trip length from a survey;
- 6. Survey information or approved equivalent information must be provided in the 1995, 1997, and 1999 reports. Employee surveys of commuting behavior will be the primary source of data about an employer's CTR program performance. Washington State Energy Office goal measurement questionnaires shall be used to measure

affected employers' progress towards goal attainment, unless the Director approves equivalent information which is provided by the employer.

Instead of surveying all affected employees at a worksite, an employer may conduct a survey based on a sample of its affected employees if there are at least 500 affected employees at its worksite. The employer must demonstrate to the Director that the sampling method is in accordance with generally accepted methods before the sampling is undertaken.

A minimum response rate of seventy percent (70%) of all affected employees in the population or seventy percent (70%) of the sample is required. When a seventy percent (70%) response rate is not achieved, an employer shall either:

- a. Provide supporting information, approved by the Director, to document mode choice of affected employees. This information may include transit pass sales, records of rideshare subsidies, parking lot counts (where affected employees' actual commute trip behavior is measured between 6 and 9 a.m.) when access and egress points are completely monitored; or
- b. Designate all non-responses below seventy percent (70%) of the affected employee population/sample as SOV trips; or
- c. Use a combination of options a. and b. above, if approved by the Director.

25.02.060 Commute Trip Reduction Goals, Zones and Base Year Values

A. Employer CTR Goals.

The goals for commute trip vehicle miles traveled per employee and proportion of single-occupant vehicles are a fifteen percent (15%) reduction by January 1, 1995, a twenty-five percent (25%) reduction by January 1, 1997 and a thirty-five percent (35%) reduction by January 1, 1999, from the base year value of the commute trip reduction zone in which the worksite is located.

An employer that becomes an affected employer after January 1, 1994 has two (2) years from the time it becomes affected to meet the closest preceding reduction goal and four (4) years to meet the subsequent goal. For example, an employer who becomes an affected employer in July 1998 has until July 2000 to achieve a twenty-five percent (25%) reduction and until July 2002 to achieve a thirty-five percent (35%) reduction.

1. If an affected employer drops below one hundred (100) affected employees and then returns to affected employer status within the same twenty-four (24) month period, that employer will be a re-affected employer, and will be subject to the same program goals that would have applied had it not dropped below one hundred (100) employees.

1	2. If an affected employer drops below one hundred employees and then returns to affected employer s four (24) months, it will be deemed a newly affect be subject to the same goals as other newly affected.
3	3. It is the responsibility of the employer to notify the
4	provide documentation of its change in status as a
5	B, CTR Zones.
6	Commute trip reduction zones for affected employers are Attachment A
7	
8	C. Base Year Values and Modifications.
9	Base year values for determining proportion of SOV trip employee are identified in Attachment B for each CTR z
10	may modify its base year values by meeting either of the conditions:
11	1. If an affected employer can demonstrate that its v
12	with a CTR zone boundary and that the worksite alternative commuting options are similar to those
13	adjoining CTR zone, the employer's worksite mathematical the base year values for WMT per employee and
14	adjoining zone. The employer may only request modification at least thirty (30) days prior to its
15	submittal.
16	2. Beginning in 1995, if an affected employer can or result of special characteristics of its business or
17	base year value as determined by survey results (15) percentage points higher than the base year
18	affected employer may use its survey to apply for

(100) affected tatus after twentyted employer and will ed employers.

e Director and n affected employer.

shown in

s and VMT per one. An employer e following two

- vorksite is contiguous conditions affecting e for employers in the ly be made subject to SOV trips in the this base year value initial CTR program
- lemonstrate that as a its location, its SOV is more than fifteen value for its zone, the or a modification of its nted, the employer's surveyed proportion of SOV per employed will serve as the employer's SOV base year value.

The survey must be conducted in conformance with this ordinance and a seventy percent (70%) response rate shall be required for an employer to be eligible to modify its base year value. For example, if a CTR zone's base year value for proportion of SOV is seventy-four percent (74%), and an employer's survey demonstrates that its proportion of SOV is ninety percent (90%), the employer may apply for a modification of its base year value to conform with its survey results.

Exemptions, Credit and Adjustment to Definition of Affected 25.02.070 Employee.

## Exemptions. A.

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Beginning in 1995, an affected employer may apply to the Director for an exemption from all CTR program requirements for a particular worksite.

1		The Director may grant an exemption upon finding that, as a result of special characteristics of the employer's business or its location, the employer is
2		tanable to implement any requirements of Section 25.02.040. A request for an exemption must be made in writing no sooner than ninety (90) days after the
3		employer's first annual report due date. The Director shall annually review all employer exemptions, and shall determine whether the exemption will be in
4		effect during the following program year.
5	В.	Credit for Successful Transportation Demand Management Program.
6		In either the initial CTR program description or any annual report, an affected employer who has already met both the VMT per employee and proportion of
7		SOV trips goals for one or more future goal years, may request a waiver from the requirement to submit the following year's annual report and from the
8		required CTR program measures, except for the requirements to report performance in annual reports for the goal years. An employer receiving this
9		waiver must commit it writing to continue its current CTR level of effort.

If any of the goal year annual reports indicates the employer does not satisfy the next applicable year's goal, the employer shall immediately become subject to all requirements of this ordinance.

Requests for credit shall include results from a survey of employees, or equivalent information that establishes the applicant's reduction of VMT per employee and reduction of proportion of SOV trips. The survey or equivalent information shall conform to all applicable standards established in this ordinance.

Credit for Telecommuting, Bicycling, Walking and Compressed Work Week C. Schedules.

Trips avoided by telecommuting and compressed work week schedules, and trips made by bicycling and walking, shall be hultiplied by two-tenths (0.2) and subtracted from the number of SOV commute trips when calculating the proportion of SOV vehicle trips and VMT per employee.

- Adjustment to the Calculation of Affected Employee. D.
  - An affected employer may request an adjustment to the calculation of 1. affected employee if the employer can demonstrate that it requires certain employees to use the vehicles they drive to work during the work day for work purposes. Any employee who needs frequent and regular access to the vehicle he or she drives to work, for which no reasonable alternative commute mode exists, will not be included in the calculations of proportion of SOV trips and VMT per employee used to determine the employer's progress toward program goals.

The employer shall provide documentation indicating how many employees meet this condition and must demonstrate that these employees do not commute on a regular schedule conducive to forming carpools or vanpools, taking the bus, bicycling, walking or telecommuting.

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1		Seasonal agricultural employees, including seasonal employees of processors of agricultural products, are excluded from the count of
2		affected employees.
3	2.	An affected employer may request an adjustment to the calculation of affected employee if it can demonstrate that it requires full-time
4	\	employees to work varying shifts, so that these employees sometimes begin their shift between 6 a.m. to 9 a.m. and at other times begin
5		their shifts outside that time period. The employer shall provide documentation indicating how many employees meet this condition and
6		must demonstrate that no reasonable alternative commute trip reduction program can be developed for these employees. Under this condition,
7		the applicable goals will not be changed, but those full-time employees working varying shifts need not be included in the calculations of
8		proportion of SOV trips and VMT per employee used to determine the employer's progress toward program goals.
9		Adjustments to the calculation of affected employee shall not apply to
10		full-time employees who rotate shifts together, as a group.
11	3.	An adjustment to the calculation of affected employee for the purpose of determining employer progress toward achieving the CTR goals does
12		not change whether the employer is subject to this ordinance.
13	25.02.080	Appeal of Director's Final Decision
14	A. An affected employer may appeal the Director's final decision regarding	
15	exemptions, changes to its CTR program measures, credits, adjustments to the calculation of affected employee, and violations to the CTR Appeals Board.	

al decision regarding credits, adjustments to the he CTR Appeals Board. The notice of appeal must be filed with the Director within fifteen (15) days after the Director's final decision is mailed to the employer.

The Appeals Board shall review the appeal to determine if the Director's final В. decision is consistent with RCW 70.94 and this ordinance. If the Appeals Board determines that the decision is inconsistent, it shall reverse or modify the decision as appropriate. If the Appeals Board determines that the decision is consistent, the Director's final decision shall be upheld.

## 25.02.090 Penalties

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## Civil Penalties Α.

The Director shall notify the employer of his decision to impose a civil penalty for violation of this ordinance.

An affected employer who commits any of the following acts is subject to a civil penalty as a class I civil infraction pursuant to RCW 7.80.120, as provided herein:

Failure to submit a CTR program or annual report to the Director as required by this ordinance. Each day of failure to submit a CTR program or annual report shall constitute a separate violation and is subject to civil penalty. The penalty for each violation shall be \$250 per day.

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- Failure to implement an approved CTR program or change an unacceptable CTR program measure after the first goal year, after receiving notice of violation. Each day of failure to implement an approved CTR program or individual CTR program measure is a separate violation and is subject to civil penalty. The penalty for each violation shall not exceed \$250 per day and shall be based on the degree of failure to implement.
- 3. Failure to make available to the Director any documentation supporting an annual report as required pursuant to 25.02.050 B.6. Each day of failure to provide required documentation is a separate violation and is subject to civil penalty. The penalty for each violation shall be \$250 per day.
- B. Pursuant to RCW 70.94.534 (4), an employer shall not be liable for civil penalties if failure to achieve a CTR program goal was the result of an inability to reach agreement with a certified collective bargaining agent under applicable laws where the issue was raised by an employer and pursued in good faith. A unionized employer shall be presumed to act in good faith if it:
  - 1. Proposes to a recognized union any provision of the employer's CTR program that is subject to bargaining as defined by the National Labor Relations Act; and
  - 2. Advises the union of the existence of the statute and the mandates of the CTR program approved by the City, and advises the union that the proposal being made is necessary for compliance with state law (RCW 70.94.531).

## C. Criminal Penalties

An employer who submits a report pursuant to this ordinance is subject to state and local laws making it a crime to submit false information. These laws include, but are not limited to, RCW 9A.76.020 and SMC 12A.16.040.

## 25.02.100 Administration

- A. Authority to Promulgate Administrative Rules.
  - The Director is authorized to promulgate rules to implement this ordinance.
- B. Peer Review Panel.

The Director shall appoint five (5) public and private sector employers to a Peer Review Panel. Terms of appointment are two (2) years, and members may be reappointed. The Peer Review Panel may consider employer disagreements with preliminary decisions by the Director regarding exemptions, credits, applicability of this ordinance to the employer, violations, calculations of affected employees, and approval of the employer's CTR program or changes to the program.

1	C. Appeals Board.			
2	The three (3) members of the Appeals Board are a Director of a City Department designated by the Mayor, a member of the Seattle Planning Commission designated by the chair of the Planning Commission, and a			
4	private sector employer appointed by the City Council. Terms of appointment are two (2) years and members may be reappointed.			
5	Section 2. In compliance with RCW 70.94.527(4)e, the city has reviewed its			
6	parking policies. The City expects to further analyze parking policies and ordinances			
7	in conjunction with the land use planning and implementation actions taken in			
8	response to the Growth Management Act, RCW 36.70A.			
9	Section 3. This ordinance shall become effective on June 4, 1993.			
10	Section 4. If any provision of this ordinance or its application to any person			
11	or circumstance is held invalid, the remainder of this ordinance or the application of			
12	the provision to other persons or circumstances is not affected.			
13	PASSED by the City Council the day of, 1993, and signed by me			
14	A ADDED by the City Country the, and,			
15	in open session in authentication of its passage this day of, 1993.			
16				
17	Provident of the City Council			
18	President of the City Council			
19				
20	Approved by me this day of, 1993			
21				
22	Mayor			
23	1000			
24	Filed by me this day of, 1993.			
25				
26	Attest:City Clerk			
27				
28	(SEAL) By:			
	OPD2 396 - 15 - CS 19.2			
	- 13 -			

STATE OF WASHINGTON - KING COUNTY City of Seattle

## **Affidavit of Publication**

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

ORD:116657

was published on 05/13/93

The amount of the fee charged for the foregoing publication is

which amount has been paid in full. the sum of \$

Subscribed and sworn to before me on

Notary Public for the State of Washington, residing in Seattle

Affidavit of Publication

29975

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becoming an affected employer.

| STARTASHUDDIN (1823) 0.4 (974) 22230 2 (1814) 1014 - AC. OR SIBIT

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An ORDINANCE adopting a Commute Trip Reduction Plan, g a new Chapter //1 25,02 to the Spattle Municipal Code, establishing requirements for major employers to implement the Washington Clean Air Abil and prescribing pendities. 11 200/2 44
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                                          WHERBAS, the Washington State Clean Air Act, RCW 70.94.521-551, requires total governments to adopt ordinances and plants to reduce the commute trips: and reverse to be between all multitude and accommute trips: and reverse to be between all multitudes and accommute trips: and reverse to be between all multitudes and accommute trips: and reverse to be between all multitudes are to be between all multitudes and the best and the best and the best are to be between the best and the best are to be between the best are to be be between the best are to be between the best are to be be between the best are to be be between the best are to be between the best are to be be between the best are to be be between 
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Each employer is responsible for meeting the requirements of this ordinance regardless of the employer's participation in a TMA. Program modifications (1) that is the provided that it is prefer to the program of the program of the program requirements through a TMA program or annual report, the Englishment through a TMA program or annual report, the Englishment of the Englishment 
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Adjustment to Definition of Affected Employee
Appeal of Director's Final Decision
Civil Penalities
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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              Permit the use of the employer's vehicles for carpool and/or vanpool commute trips
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                                               25.02.020 Purpose the contract to the contract to the desire to contract the contract to the c
                                               I. Provide reduced parking charges for high occupancy validies
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                             g 2500.000 Definitions.

In Collection of stack and no (c) and a martipe and a figure as a defined as if for the purposes of his chapter the following words or phrases are defined as been described below.
                                                           Construct special loading and unloading facilities for trensit, carpool and/or variood users;
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                                                                                                               Affected employer. X private of public employer that for market (1) to 10 continuous months employs one hundred (100) or more full-line employers at 10 continuous months employs one hundred (100) or more full-line employers at 10 continuous months employers are 10 continuous months employers one hundred (100) or more without the employers at 100 a.m. and 9000 a.m. functivitie) of two of more weekedys; erent filten strain identity of the employers varies over time. This is equivalent to the terminal major major employer; typed in Ref. 10 continuous times at 10 continuous to 10 c
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                                                                                                                                Equivalent Survey Information: Information that substitutes for the twosty-four (24) months.

Washington State Energy Office goal measurement survey, as determined by the City.

Program Review and Approval.
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vehicle, rideshare, bleyele, walk, ferry and transit:

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Proportion of SOV Trips or SOV rate: The number of commute trips in the

The Director shall complete review of each employer's initial CTR program and actual reports within nineary (90) days of the date the employer submild the program for report to the Director's and atomy the employer in writing, whether or not the program or report has been

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Reduction Ordinance." tumoites an habases at moitifa the about	iii: commute trips by affected employees between 6:00 and 9:00 in 6:1.35  Lim: a.m. Flex time allows individual employees some flexibility in choosing the lime, but not the number of their working boosts.
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25.02.030 Definitions.	Ploy of intueed parking charged for high occupancy vehicles; so the control of th
5) betailful offstekinds to (Alass methagedu) y notheun For the purposes of this chapter the following words or phrases are defined as described below	regular of express service to the work site (e.g., a custom but it and territory to the control of the work site (e.g., a custom but it and territory to work).  1 service arranged specifically, to transport employees to work).
A. Affected employee: A full-time employee who begins his or her regular work that day at a single worksite between 6 a.m. and 9 a.m. (includive) on two or	Construct special loading and unloading facilities for transly to a manufacture of transly transl
mole wether the transparence parameters and the interest of th	m. Provide and funda program of pathing incentives such as a cash payment for amployees who do not use the parking facilities.
continuous months employs one hundred (100) or more full-time employees at 14.3  a single workstle who are scheduled to begin their regular, work day between  6:00 a.m. and 9:00 so min (Industyle for two or more weekdays, word if the mid-life transfer or the mid-life transfer or mi	n. Institute of Increase parking charges for SOV 31 100 and the charge many
Identity of the employees varies over time. This is equivalent to the term when a major employer, used in RCW 70.94.521-551.	o. Establish a program to permit employees to telecommute either parts or full-line, where telecommuting is an arrangement that permits an employee to work from home, eliminating a
C. Alternative mode: A method of commuting to work other than a single-institute occupant motor vehicle being the dominant mode, and may include	reducing the distance traveled in a commissie trip by at least half.
telecommuling and compressed work weeks If those methods result in fewer commute trips. About only in (1) 8000 to 50000000 and to 100000000000000000000000000000000000	cul b plant Provide a shutte between the employer a worksite and the closest park and ride lot, transit center, or principal transit
D. Base year: The calendar year from January 1, 1992 through December 31, 1992, Goals for vehicle miles traveled (VMT) per employee and proportion of a single occupant vehicle trips (SOV) are based upon VMT and SOVs.	street and the Sebaran of trouble test and a second of the
established in that year for the CTR 2006, you may at no stady and out on your control of out on a stady of the CTR 2006, and the stady of the CTR 2006 of the stady of the CTR 2006 of the CT	Implement other measures designed and demonstrated to
a regularly scheduled work day beginning between 6 a.m. and 9 a.m. (inclusive)	4. A description of any additional program measures included in the service with the manager of the service of
F. CTR Plan: Scattle's commute trip reduction plan as set forth in this and any ordinance.  becough the control supervision be assume that a reduction is a reduction of the control of th	5. 11 Assignment of responsibilities for implementing the CTR program, Assignment of commitment to provide appropriate resources to carry out the CTR program, and a cabe only of implementation, and the commitment to the commitment of the commitme
G. CTR Program: An employer's strately in reduce affected employees' SOV use and VMT per employee.	6. Description of employer's CTR worksite characteristics. The employer
H. CTR Zone: An area, such as a census tract or combination of census tracts within Seattle, characterized by similar employment density, population	program must include: "I led and the second second second second description of the affected employer worksite;
density, level of trainit service, parking availability, access to high occupancy vehicle facilities, and ower factors that affect the level of SOV committing.  One of the six areas shown on Allachington A partial of the six areas shown on Allachington A partial of the six areas shown on Allachington A partial of the six areas shown on Allachington A partial of the six areas shown on the	b. 1994A general description of the availability of transportation to the worksite product stance and a second section of the second of the worksite product of the second
1. Director: The Director of the Seattle Engineering Department: 20 3 1042 704	c. The total number of employees and affected employees at the 3 worksite:
1. Dominiani Model. The mode of table tiged for the greatest distance of a substance of many communication of the	nadaria eldi 50 endelyota indio el elega de nada 1918: Sig of operational conditions which may alleet an employed the mark 1919: Sig of operational conditions which may alleet an employed the mark 1919: Children of communications and the conditions are individually a final
K. Employee: Any person who works for an employee in return for financial or in the control of the employee: Employee does not lictude independent control of the employee: Employee does not lictude independent control of the employee: Employee does not lictude independent control of the employee: Employee does not lictude independent control of the employee:	7. Record Keeping. The CTR program shall include a list of the records to be maintained by the employer in implementing the program.
Li - Equivalent Survey Information: Information that substitutes for the Washington State Energy Office goal measurement survey, as determined by	Employers will malolain all records listed in their OTR program for an twenty-four (24) months. involtes no behaves at another regre
the City.  M Full-lime Employee: An employee, scheduled to be employed on a continuous	~ Program Review and Approval.
basis for 32 weeks for an average of at least 35 hours per week, open days and a second an average of at least 35 hours per week, open days and a second a second and a second	determine if it has met the minimum requirements of this CIR
vehicle, rideshare, bleyele, walk, ferry and transit.	The Director shall complete review of each employer's initial CTR program and annual reports within ninety (90) days of the date the employer submits the program or report to the Director, and featify the '1
O. Proportion of SOV Trips or SOV rate: The number of commute trips in the  survey week made by affected employees in SOVs, minus any adjustments for  eleconimuling, bicycling, walking or compressed work schedules, divided by  the total number of affected employee work-days during the survey week. An ITE 203	employer in writing whether or not the program or report has been
work due to a compressed work schedule.	2. No later than thirty (30) days before the Initial Critical and description or annual report is to be submitted, an employer may rejude a submitted and employer may rejude
P. Single-occupant Vehicle (SOV): A motor vehicle occupied by one employee for commute purposes, excluding motorcycles.	
Q. Vehicle Miles Traveled (VMT) Per Employee: The average commule trip length in miles made by affected employees over a set period, multiplied by	<ol> <li>Ino Beginning.in(1995):the Director shall review, each employer is annual;</li> <li>report to determine the employer in progress toward achieving its SOV and VMT goals.</li> </ol>
the humber of vehicle communications are affected employee during that period, in the humber of vehicle communications.  1. Anatom Lupon R. Worksite: A building or group of buildings on physically contiguous parcels	or throng the thicking that have a decision approxime in employer a continuous CTR program is the annual report comonstrate, this close, the
of land or on parcels separated solely by private or public roadways or rights-	SOV goal or VMT goal has been achieved for the current year,
of-way. Construction worksites when the expected duration of the construction in project is less than two (3) years are excluded on boom any laptical, II can in Writing. Writing the or in Writing. Original algored and dated documents.  Factimile (fas) transmissions are a temporary notice of action that thirds be strill age.	
followed by the original signed and dated document was all or deleted.  The original signed and dated document was not been all or	hand but your wife to the point would measure fitted in 23.02.040 B.3.
25.02.040 Employer's Commute Trip Reduction Program.  lo sad and particularly a reliability of the used the use the use A. Program Submittal and Implementation as a reliability of the use	to of the experimental respect the property of the property and the control of th
This ordinance applies to any affected employer at any worksite within the	3. Hose is required for Ciesa II attachpines only.
City of Scattle: An affected employer must submit a CTR program to the Director within 180 days of the effective date of this diofinative regardless of entire to whether the employer has received notice from the City that this ordinance con- applies to the employer. The purpose of an employer CTR program is to help a achieve the goals set forth in 23,00 cm.	10 VI drozes program/the Director shall consider the filterinoid that the 12 changes will help sinkers the goals, based on the following the visit of the program of the pr
achieve the goals set forth in 25.02.000.	a any Jasel on the attent to which the complete the Uriginal of used questions and indicated the program and attained the URI of used questions and attained the URI of
An employer that becomes an *affected employer after adoption of this of your transfer shall develop and stoom! I indid CFR program to the Director to be you within 180 days of the first Washington State Department of Employment Security Employer. Outside Report of Employer. Wees might like after.	All portions of both thor Englaginia 150 Lest hose tra- on yards usable by fire department apparatus and recognise and film of the partment.
within 180 days of the first Washington state Department of Employee's Wases published after 4:10 20	2 Spiningues of the manufacture of the second spiningues of the second
그 - 그 그리고 참시하는 가격 그리를 받	수는 그리는 그는 그리고 있는 것은 100 전 기계를 위한 경험을 하였다. - 그리고 있는 그리고 있는 100 전 100

# City of Seattle Ordinances

- Diversity of modes and CTR strategies included in the program.
- Characteristics of pedestrian, bleyele, transit ferry, road, and HOV access and facilities available to the employer's worksite.
- Effect on reducing the relative cost of improving the convenience of commuting by non-SOV modes versus by SOV.
- If the Director approves the proposed program changes, then the Director shall issue a final decision, and the nges shall be made in the program and implemented by the employer,
- If the Director determines that the proposed program is insufficient, or unlikely to help schieve the goals, the Director shall recommend changes to the program which can reasonably be expected to be effective. The Director's preliminary decision shall be in writing, and mailed to the campleyer within hardy (90) days of the date the annual report is submitted.
  - An affected employer may request that the Director reconsider a preliminary decision regarding its CTR program elements, except for the unlaiman requirements of \$20,000 B. The employer may apply in writing for reconsideration of the preliminary decision within fifteen (15) days of the date the Director's preliminary decision is maided to the employer. The Director shall meet with the employer to discust program changes if the application for reconsideration includes a request for a meeting. The Director shall give the employers a written response to the request for reconsideration.
- doly as An employer who disagrees with a preliminary decision by the Director regarding the approval of the employer's CIT program or changes to the program, may ask the Peer Review Panel to consider the Issue in disagreement. The Peer Review Panel shall make, tecommendation to the Director following meeting with the employer, if the employer requests a meeting.
  - (c) The Director shall make a final decision regarding changes to an employer's CTR program within salay (60) days of making a preliminary election, based upon consideration of the Peet Review Panel recommendation and the preliminary decision.
    - Within thirty (30) days of written notification of the Director's final decision regarding required program modifications, an employer shall incorporate those modifications into its CTR program and aubmit a revised CTR program description, including the required modifications or equivalent measures, to the Director.
- If an affected employer does not submit an initial CTR program or an annual report, and no request for an extension or reconsideration is filed, the Director shall issue a final decision without first issuing a preliminary decision.

An affected employer shall submit an annual CTR report to the Director, i beginning with the 1995 emural reporting date assigned by the Director after perdeying the employer's initial CTR program. Annual reports shall be due on the fame date each year. (A)

At least thirty (30) days prior to the date an annual report Is due an employer may request a thirty (30) day extension to complete its annual report. This extension shall not change the normal reporting date for subsequent year.

annual report shall include:

- A description of each CTR program measure that was undertaken during the year;

A description of the method and frequency by which the information required by the approved CTR program was distributed;

A statement of the employer's method of measuring its VMT per employee, using either the average conal trip length or the employer's average (trip length from a narvey:

Survey Information or approved equivalent Information must be provided in the 1995, 1997, and 1999 reports. Employee surveys of community behavior will be the primary source of data about an employer's CTR program performance. Washington State Energy Office goal measurement questioninaire shall be used to measure affected employers' progress towards goal stationized, miles the Director approves equivalent floramation which is provided by the

Instead of sorveying all affected employees at a worksite, an employer may conduct a survey based on a sample of its affected employees if there are at least 500 effected employees at its worksite. The employer must demonstrate to the Director that the sampling method is in accordance with generally accepted methods before the sampling is conductation.

to detaken.

A minimum response rate of seventy percent (70%) of all affected employees in the population or seventy percent (70%) of the sample is required. When a seventy percent (70%) esponse rate is not achieved, an employer shall either:

- Provide supporting information, approved by the Director, to a document mode choice of affected engiptyees. This information way include travail pass asles, records of rifectane subsidies, parking lot counts (where affected employeest actual companies this behavior is measured between find 9 m.in, when access and egrees polets are completely monitored; or
- Designate all non-responses below seventy percent (70%) of the affected employee population/sample as SOV trips, or
- Use a combination of options a, and b, above, if approved by

Commute Trip Reduction Goals, Zones and Base Year Values

The goals for commute trip vehicle miles traveled per employee and proportion of single-occupant vehicles are a filteen percent (15%) reduction by January 1, 1995, a twenty-five percent (25%) reduction by January 1, 1997

Base year values for determining proportion of SOV trips and VAIT per employee are identified in Attachment B for each CTR zone. An employ may modify its base year values by meeting either of the following two confiliens:

- If an affected employer can demonstrate that his protection is configuous with a CTR zone boundary and that the workshie conditions affecting alternative communing options are similar, for howe for employers in the significant process of the employer are only only request this basis year whom modification at least thirty (30) days prior to its faitful CTR program and sometimes.
- submitted.

  Beginning in 1995; if an affected employer can demonstrate that as result of special characteristics of its business or his location, it 900; base year value as determined by survey genits is more than filtered (13) precentage points higher than he bits year value for its store, the affected employer may use its survey to story for a modification of its 500 base year value. If the modification is granted, the employer surveyed proportion of SOV per employee will serve as the employer's SOV base year value.

Solv base year white.

The survey must be conducted in conformance with this ordinance and a seventy percent (70%) response rate shall be required for an employer to be cligible to mostly its base year value, For example, II.—

ECTR tone's base year value for proportion of SOV is seventy four percent (74%), and an employer's furney demonstrates that its proportion of SOV is not year value for proportion of SOV is not year years of SOV is not year.

Exemptions, Credit and Adjustment to Definition of Affected Employee. 25.02.070

Deginning in 1995, an affected employier may amply to the Director for an exemption from all CTR program requirements for a particular workfalle. The Director may grant an exemption type 8. 4 mg bar, as a extra for special contacteristics of the employer 5 winders or is location, the employer 1 unable to implement any requirements of Section 25.00.906. A respect for an exemption must be made in whiting no sooner than intenty (90) days after the employer 2 first annual report due date. The Director shall annually rotice an employer exemptions, and shall determine whether the exemption will be in effect during the following program year.

Credit for Successful Transportation Demand Management Program

In either the initial CTR program description or yannual report, as affected employer who has already met both the VMT per employee and proportion of SOV trips goals for one or more future goal years, may request a waiter from the requirement to submit the following years' amount erport and from the requirement answer, except for the requirements to report performance in answart person for the topolytain. An employer receiting this waiver must commit in writing to continue its current CTR level of elfort.

If any of the goal year annual reports indicates the employer does not satisfy the next applicable year's goal, the employer shall immediately become subjec-to all requirements of this ordinance.

Requests for credit shall include results from a survey of employees, or equivalent information that establishes the applicant's reduction of VMT per employee and reduction of proportion of SOV trips. The survey or equivalent information shall conform to all applicable standards established in this

Credit for Telecommuting, Bleycling, Walking and Compressed Work Week

Trips avoided by telecommuling and compressed work week schedules, and trips made by bleycling and walking, shall be multiplied by two-teaths (0.2) and subtracted from the number of SOV commule trips when calculating the proportion of SOV vehicle trips and VMT per employee.

Adjustment to the Calculation of Affected Employee.

An affected employer may request an adjustment to the calculation of affected employer if the employer can demonstrate that it requires certain employers to use the vehicles they drive to work during the work day for work purposes. Any employee who need it request and regular access to the vehicle he or he drives to work, for which no reasonable alternative commute mode exists, will not be included in the calculations of proportion of SOV trips and VMT per employee used to determine the employer's progress toward program goals.

employees meet this condition and why.

Season a gateolitural employees, including seasonal employees of processors of agricultural products, are excluded from one count of affected employees.

An effected employee may request an adjustment to the excludition of affected employees in the employees of the employee of the employees of the employe

Adjutments to the calculation of affected employee shall not apply to full-time employees who rotate shifts (ogether, as a group.

An adjustment to the calculation of affected employee for the purpose of determining employee progress toward achieving the CTR goals does not change whether the employer is subject to this ordinance.

Appeal of Director's Final D.

An affected employer may appear the Director's final decision regarding exemptions, changes to lit CTR program measures, credits, adjustments to the calculation of affected employee, and violations to the CTR Appeals Board. The notice of appeal must be filled with the Director within filteen (15) days after the Director's final decision is mailed to the employer.

The Appeals Board diall review the appeal to determine If the Director's final decision is consistent with RCW 70.94 and this ordinance. If the Appeals Board do a mines that the decision is a consistent, it shall reverse or modify the decision is appropriate. If the Appeals Board determines that the decision is supported. If the Appeals Board determines that the decision is consistent, the Director's final decision shall be upheld.

## 25.02.090 Penalties

- Civil Penaldes

  The Director shall notify the employer of his literat to impose a civil ponally for violation of this ordinance. The Director may not impose a penalty small for violation of this ordinance. The Director may not impose a penalty small the completion of the administrative appeal authorized by SMC 25.07.000.

  All affected promotive their community any of the following set is subject to a civil penalty as a circa I divil Infonction personal to RCW 7.80.120, as required by this ordinance. Each day of failure to submit a CTR program or general report to the Director as required by this ordinance. Each day of failure to submit a CTR program or annual; report all constitute a separate violation and it subject to a civil penalty. The penalty for each violation shall be 5750 per day.

  2. Failure to implement an approved CTR program or change as macceptable CTR program recursus after the first goal year, site an annual control of the control of th

Authority to Promulgate Administrative Rules.

The Director is aut

The Director shall appoint five (5) poblic and private sector employers to a Peer Review Panel. Terms of appointment are two (2) years, and members may be reappointed. The Peer Review Panel may consider employers distancement with pelliminary decisions by the Director regarding extendions, credits, applicability of this ordinance to the employer, violations in Calculations of affected employees, and approval of the employer's CTR program or changes to the program.

Appeals Board.

The thice (3) members of the Appeals Board are a Director of a City, Department designated by the Mayor, a member of the Scalle Planning; Commission designated by the chair of the Planning Commission designated by the chair of the Planning Commission, and a private sector employer appointed by the City Coorell. "Terms of appoint are two (2) years and members may be reappointed."

Section 2. In compliance, with RCW 70.94.577(4)e, the city has reviewed.

g policies. The City expects to further analyze parking policies and ordin

Section 4. If any provision of this ordinance or its application to any person

umstance is held invalid, the remainder of this ordinance or

Passed by the City Council the 23th day of April, 1993, and signed by me in open n in authentication of its passage this 28th day of April, 1993,

MARGARET PAGELER, President Pro Tem of the City Council. Approved by me this 29th day of April, 1993. NORMAN B. RICE,

Mayor. Filed by me this 29th day of April, 1993. Seal) By: MARGARET CARTER,

(Seal by Makusatus) Commerce, Deputy.

Public the ordered by JUDITH FIPPIN, City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, May 13, 513(20978)

## New Businesses

This is a daily listing of new businesses recently recorded by the state De-pariment of Revenue. Names are for firms in King, Plence, Snohomich, Kil-ng, Thurston and Spokane counties. Only mailing addresses are given. Names may be for new ownership, branches of existing firms or those whose previous literate has lapsed. These records are available on magnetic disk, gummy labels and chestive labels for a reasonable fee. Contact John Elliott at 622-8272 for more Information.

V S A VISON Systems of America, Shaimon Russall 1, 1320 Highway 99 # 190, Everat, 9820.4 Vangutten Cilfton O, 2714 86th St SE, Everat, 98208. Venko Enterprises, Wong Gary G, (4001 46th PSE Berrard, 98205, 1 Westers Security Droducts, Weber Seive P, 1812 E Gibson Rd Stc C314, Everat, 98204.

Webers Security Products, Weber Steve P., 1812 E Gibbern RS is C214, Eventu, 98204.

West Thomas G, 11423 38th Dr SH, Eventu, 98208.

West Thomas G, 11423 38th Dr SH, Eventu, 98208.

West Short Stevent, 98208.

Wise Fishertes Inc, 10522 26th Dr SH, Eventu, 98208.

Wooded Computer Service, Brinkerhoff Gaven W & Patricia A Havely, 12531 Highway 99 S, Eventu, 98204.

Willers Bloc, Trabaki Patricia K, Box 2231 Eventu, 98204.

Willers Bloc, Trabaki Patricia K, Box 2231 Eventu, 98206.

Willers Bloc, Trabaki Patricia K, Box 2231 Eventu, 98206.

Willers Bloc, Trabaki Patricia K, Box 2231 Eventu, 98206.

Willers Bloc, Trabaki Patricia K, Box 2231 Eventu, 98206.

Willers Bloc, Trabaki Patricia K, Box 2231 Eventu, 98206.

Grantic Group Inc The, Box 46.

Grantic Group Inc The, Box 46.

Grantic Falls, 98252.

Grantic Group Basics.

Hoise Cleasing, Bodlanger Annelle M, Box 132, Grantic Falls, 98229.

Sigar: Sufficiently, San Mel C & Deans 3, Box 1263, Grantic Falls, 98229.

Sigar: Sufficiently, Royal Remond R J & Star Nursery, Royal Randal, 1901 N. Machias R & Lake Savent, 1902 N. Machi

B 8 8 Comm. "dal Chemisco.
Berger Ribida I, 11016 Laboview Dr.
Lake Sarvens, 98258.
B C Pirasarus, Finche Bernard C.
6714 1/23rd Ave NR, Lake Sarvens,
98258.
Chemis Construction Ber. 2210
17th Ave NR, Lake Sarvens,
98258.
Chemis Construction Ber. 2210
17th Ave NR, Lake Sarvens, 98258.
Declay Development Inc., 904 E
Lake Sarvens (9825).
Declay Development Inc., 904 E
Lake Sarvens (9825).
Exacte Street Lake Sarvens, 98258.
Chemis (9825).
General Ribinatezamer Co. PierroNov. NR, Lake Sarvens, 98258.
Grigolic Afre, Overn Loth F, 2483
Madrina Dr. Lake Sarvens, 98258.
11714 Servicion Pt SR, Lake Sarvens,
98258.

Section 1 St., Les Section 1 Community Florid Limited Parish Limited Parish Limited Parish Limited Parish Les Sections, 92555.

Mark J. of Expellence, Redocraft Mark J. of Expellence, Redocraft Mark J. of Expellence, Redocraft Lab Bassies, 92555.

New Horse Med New York Community, 1 Communi

wood, 93037.

wood, 93037.

Aurora Ladles Health Spa, Bailey Joseph A & Chong U, 16716 Highway 99 #E, Lynnwood, 98037.

B & IJ Martins, Orliomsten Dennis I, 6413 182nd Pl SW, Lynnwood, 98037.

B & IJ Martins, Orliomsten Dennis I, 6413 182nd Pl SW, Lynnwood, 98037.

Band A & Chong U, 16716 Highway 98 Head House Ladder, 1680, 1880 166th AN 1882 Co, Smith Nicola G, 18501 66th AN W W, Lynnwood, 98037.

Bismark Mortgage Company, 3400 188th St SW # 610, Lynnwood, 98037.

Bismark Mortgage Company, 3400 188th St SW # 610, Lynnwood, 98037.

Bismark Mortgage Company, 3400 188th St SW # 610, Lynnwood, 98037.

Bismark Mortgage Company, 3400 188th St SW # 610, Lynnwood, 98037.

Bismark Mortgage Company, 3400 188th St SW # 610, Lynnwood, 98046.

Bumpa & Grinds, Weitphal Keinselh P, 14725 Highway 99 # A, Lynnwood, 98037.

Caston Highway 99 # A, Lynnwood, 98037.

Caston Highway 91 Lynnwood, 98037.

Caston Fibergians Repair, Bland Henn R, 14900 Adminaly Way & A303.

Lynnwood, 98037.

Desn Services, Dean Carl A & Angela M, 20425 Sch Lev W, Lynnwood, 98037.

Desn Services, Dean Carl A & Angela M, 20425 Sch Ave W, Lynnwood, 98037.

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Desn Services, Desn Carl A & Angela M, 20425 Sch, How W, Lynnwood, 98037.

Desn Services, Desn Carl A & Angela M, 20425 Sch, How W, Lynnwood, 98036.

Desn R, 1404 M, Ly

98056. Camer Paletbell Supply, Fine & Camer Paletbell Supply, Tunips Lowell E, 14500 Admirally Way MCMS, Lymwood, 98007. Gellinage Larry L, Box 5605; Lymwood, 98045. Hadis Transportation Service, Az-tall Russell C, Box 5565; Lymwood, course

per rimen C., 1803. 2585; Lymiwood. 1814; Construction, Jingy Michael P. 728 2 (2h P 18W. Lymwood.) 480.6. Hensel ind., Birry Valentin, 1602. Hensel ind., Birry Valentin, 1602. Hensel ind., Birry Valentin, 1602. Hensel Penker, J., 6799-2018; T. Harvanies Penker, J., 6799-2018; T. Harvanies Penker, Hunby Ross. B. 6703. 25240 St. SW. Lymwood. 98036. Kds. Lake Use Jayres Thiospian, Thompson Jayres L., 581/1. 181 r. H. SW. Lymwood. 98030.

Kds. Lake Use Mary, Nessian, Nosian Mary L. 4241 Each P. SW. Lymwood. 98030.

Kds. Lake Use Mary, Nessian, Nosian Mary L. 4241 Each P. SW. Lymwood. 98030.

B. San Mary L. 4241 Each P. SW. Lymwood. 98030.

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B. San Mary L. 4241 Each P. Sw. Lymwood. 98030.

B. San Mary L. 4240 Heny P. St. Lymwood. 98030.

L. A Proporties Inc. 125431 Nobibo.

V, 20222 33rd Ave W 8 B, Lymwood, 98056.

L A Properties Iac 12000 Nykileo Sprly, Lymwood, 98056.

Larry a Educates Model Samuel Spring Strategies Model Samuel Spring Spring 1, 100 150, 100 15

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POWER

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he employer within ninety (90) days of nual report is submitted.

the annual report is absoluted.

An affected employer may request that the Director reconded is preliminary decision regarding its CTR program elements, except for the minimum requirements of \$2,0,000 B. The employer may popy in writing the The employer may popy in writing the Themest decision that the program of the temporary decision is malled to the employers. The Director shall meet with the employer to discuss program changes if the application for reconsideration includes a reports of or a meeting. The Director shall give the employer written response to the request for reconsideration.

An employer who diagraces with a preliminary decision by the Director regarding the approval of the employer is CTR program or changes to the program, may sak the Peer Review Paile it consider the issue in disappression. The Poer Consideration is the program of the program, may sak the Peer Review Paile it or consider the issue in disappression.

state 192nd

program, may ask the Peer Review Panel to consider the issue in Glaip's ment. The Peer Review Panel shall make, tecommendation to the Director following meeting with the employer; if the employer requests a missible.

The Director shall make a final decision regarding changes to an employer a LCTR program within state (96) days or making is preliminary decision, hard upon consideration; of the Peer Review Paiel Recommendation and the retiniminary decision.

Within thirty, (30) days of wilden notification of the Director's first decision regarding required pringram modifications, an employer shall incorporate these modifications in the State of the Company of

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If an affected employer does not submit an initial CTR program or an armual report, and no request for an extension or reconsideration is filed, the Director shall some a final decision without first truing a preliminary decision.

## 25.02.050 Employer's Annual Report

SE 176th

An affected employer shall submit an annual CTR report to the Director, beginning with the 1995 annual reporting date astigned by the Director after previous the employer. I folial CTR program. Annual reports shall be due on the same date each year.

At least thirty (30) days prior to the date an annual report is due an employed may request a thirty (30) day extension to complete its annual report. This extension shall not change the normal reporting date for subsequent years.

ual report shall Include:

- A description of each CTR program measure that was undertaken during the year;
- The number of employees participating in each of the CTR program measures [ 10] [ 1] [ 1]
- An evaluation of the effectiveness of the CTR program; and if necessary, a description of proposed revisions to the CTR program to help achieve the CTR goals;
  - A description of the method and frequency by which the information required by the approved CTR program was distributed;
- A statement of the employer's nethod of measuring its VMT per employee, using either the average zonal trip length or the employer's average trip length from a survey;
- Survey information or approved equivated information must be provided in the 1995, 1997, and 1999 reports. Employee surveys of communiting behavior will be the primary source of data about an employer's CIF program performance. Whatlafton State Energy Office goal measurement questionaires shall be used to measure. affected employers' progress towards goal attainment, unless the Director approves equivalent information which is provided by the employer.

employer.

Instead of parcepting all affected employees at a worksite, an employer may conduct a gurvey based on a sample of its affected employees if there are at least 500 affected employees at its worksite. The employer must demonstrate to the Director that the sampling method is in secondance with generally accepted methods before the sampling is overdetaken.

or dotables.

A minimum response rate of seventy percent (70%) of all affected employees in the population or seventy percent (70%) of the sample is required. When a seventy percent (70%) caponse rate is not schleved, an employer shall either:

- ployer shall etiber:
  Provide supporting information, approved by the Director, to document inpode choice of affected employees. This information may include partial pass sales, records of rideshare subsidies, and partial pile country (where affected employees' action compine partial pile country to these partial employees' action compined and partial pile points are promptedly manifested, or and extress position are completely manifested, or
- Designate all non-responses below seventy percent (70%) of the affected employee population/sample as SOV trips; or
- Use a combination of options a. and b. above, if approved by the Director.

## mule Trip Reduction Goals, Zones and Base Year Values

Employer CTR Goals.

The goals for commute trip vehicle miles traveled per employee and proportion of single-occupant vehicles are a fifteen percent (15 %) reduction by January 1, 1995, a leventy-five percent (25 %) reduction by January 1, 1990, from the base year value of the commute trip reduction none in which the worksite is located. SE 812th

An employer that becomes in Siteriest employer after January 1, 1994 has two (2) years from the time it becomes affected to meet the closest preceding reduction goal and four (4) years to meet the subsequent goal. For example, an employer who becomes an affected employer in July 1993 has until July 2000 to schieve a lewely-five percent (253) reduction and until July 2002 to achieve a thirty-five percent (353) reduction.

- If an affected employer drops below one hundred (100) affected employees and then returns to affected employer status within the same twelve (12) month period, that employer will be a re-affected employer and will be subject to the same program goals that would have applied had it not dropped below one hundred (100) employees.
- If an affected employer drops below one hundred (100) affected employers and then returns to affected employer saisas after twelve (12) months. It will be deemed a newly affected employer and will be subject to the same goals as other newly affected employers.
- It is the responsibility of the employer to notify the Director and provide documentation of its change in status as an affected employer.

Commute trip reduction zones for affected employers are shown in

Base Year Values and Modifications.

percent (74%), and an employer's survey demonstrates that its proportion of SOV is wheely percent (90%), the employer may, for a modification of its base year value to conform with its sur-results.

Exemptions, Credit and Adjustin 25.02.070

(ron)

2.070 Exemptions, Credit and Adjustment to Definition of Affected Employee.

Estemptions.

Beginning in 1995, an affected employer vary apply to the Definition for an exemption from all CTR program requirements of a particular protesting. The Director may grant an exemption from all CTR program requirements of a particular protesting of the chaptory is builded by it clothout, the employer is that annual report does that. The Director may grant as exemption made to implement any requirements of Section 25 CD 400. A required to understand the employer of the chaptory is builded by it clothout, the employer is first annual report does that. The Director has freely expected to entemployer and be made to writing for soore what index 600 and provides a first employer and produced to the employer in the following program state of the complete of the following program state of the complete of the following program is a first of the complete of the complete who has a fready met both the VAT per employee and program is a first of the complete of th

Scheduler.

Trips avoided by telecommuling and compressed work week scheduler, and infine made by bleyeling and walking, shall be multiplied by two-tenin (0.2) and subtracted from the number of SOV commute trips when galeulping the proportion of SOV wehled trips and VMT per employer.

Adjustment to the Calculation of Affected Employee.

An affected employer may figurest an adjustment to the calcibilion of affected employer if the employer can demonstrate that it requires creatin employers to use the vehicles they drive to work during the work day for work purposes. Any employee who needs freegent and regular access to the vehicle he or the drives to work, for which no resoundble alternative commute mode exists, will not be included in the calculations of proportion of 500 trips and VMT per employer sized to determine the employer's progress toward program goals.

The employer shall provide documentation indicating how many (35) employees meet this condition and why.

Seasonal agricultural employees, including seasonal employees of processors of agricultural products, are excluded from the count of affected employees.

An affected employer may request an adjustment to the calculation of affected employer (if it can demonstrate that II requires full time sumployers to want; varying shifts, so that there employers sometimes begin taker shifts outside that time period to the state of the shifts outside that time period. The employer shall provide documentation indicating how many employees meet this condition and must demonstrate that no reactionable alternative commute trip rotated program can be developed for these employees. Under this condition, required that the precision of the sample of the shall will be shall be shall

Adjustments to the calculation of affected employee shall not apply to full-time employees who rotate shifts together, as a group.

An adjustment to the calculation of affected employee for the purpose of determining employer progress toward achieving the CTR gosts does not change whether the employer is subject to this ordinance.

## Appeal of Director's Final Decision 25.02.080

An affected employer may appeal the Director's final decision regarding exemptions, changes to its CTR program measures, crodits, adjustments to the cateloulation of affected employer, and volcisions to the CTR Appeals Board. The notice of appeal must be fifed with the Director within fifteen (15) days after the Director's final decision is mailed to the employer.

The Appeals Board shall review the appeal to determine if the Director's final decision is consistent with RCW 70.94 and this ordinance. If the Appeals Board determines that the decision is Inconsistent, it shall reverse or modify the decision as suppopriate. If the Appeals Board determines that the decision is not suppopriate, If the Appeals Board determines that the decision is consistent; the Director's final decision shall be upheld.

## 25,02.090 Penalties

## Civil Penalties

The Director shall notify the employer of his intent to impose a civil penalty for violation of this ordinance. The Director may not impose a penalty until the completion of the administrative appeal authorized by SMC 25.02.030.

- An affected type of the administration appeal substrated by SMC 25.02.030.

  An affected type of the administration appeal substrated by SMC 25.02.030.

  An affected type of the commits any of the following acts is subject to a civil penalty as a class I civil infraction pursuant to RCW 7.80.120, as provided herein.

  1. Failure to submit a CTR program or annual report to the Director as required by this ordinate. Each day of failure to submit a CTR program or annual report adult consistion as expanse violation and is subject to a civil penalty. The penalty for each violation shall be \$250 per day.

  2. Failure to implement an approved CTR program or change an unacceptable CTR program measure after the first goal year, after receiving notice of violation. Each day of failure to implement in approved CTR program or failured to implement as approved cTR program or failured to a failure to implement and approved cTR program or failured to a failure to implement and approved cTR program or failure to a failure to implement and approved cTR program program measure is a separate violation and is subject to civil penalty. The penalty for each violation shall be based on the 11 degree of failure to provide a section of the content of the content

per day.

Pursuant to RCW 70.94.514 (4), an employer shall not be liable for civil penalties if a violation was the result of an inability to reach agreement with a certified collective bargaining agent urber applicable laws where the issue was raised by an employer and prizosted in good faith. A unfonized employer shall be presumed to act in good faith if it:

1. Proposes to a recognized unton any provision of the employer's CIR program that is subject to bargaining as defined by the National Labor Relations Act; and

2. Advice the union of the existence of the statele and the immediate of the CIR program approved by the City, and divises the union that the proposal being made is necessary for compilance with state law (RCW 70.94.531).

Criminal Penalties

An employer who submits a report pursuant to this ordinance is subject to state and focal laws making it a crime to submit fate information. These two include, but are not limited to, RCW 9A.76.020 and SMC 12A.16.040.

in conjunction with the land use planning and implementation

itse to the Growth Management Act, RCW 36.70A.

on 4. If any provision of this organizate or its application to any person  $4001\,\mathrm{V}$ 

or circumstance is held invalid, the remainder of this ordinance the provision to other persons or circumstances is not affected.

Passed by the City Council the 28th day of April, 1983, and on in authentication of (of passage this 28th day of April, 1993

on in authentication of its passage this 25th d MARGARET PAGELER, Preddent Fro Tem of the City Council. Aprived by mis this 29th day of April, 1993. NORMAN B. HICE, Mayor. [2] Filed by me this 29th day of April, 1993. (Seel) By: MARGARET CARTER,

Deputy.
Publication ordered by JUDITH PIPPIN, City Clerk.
Date of official publication in Daily Journal of Commerce, Seattle, May 13, 5713(20078)

## New Businesses

Thit is a failty using of new businesses recently recorded by the state De-pariment of Revenue. Names are for firms in King, Plarce, Snohomish, Ri-say, Thurston and Spokane counties. Only mading addresses are given Names may be for new deviceship, branches of existing firms or those whose prepaint lettick that subject. These records are available on wagnetic disk, guinny labbit and charitie labely for a reasonable fee. Conjuct John Elique at 023-2071 for more the formation.

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SNOHOMISH COUNTY
VS A Vision Systems of America.
Shamon Russell I., 133-20 Highway 99 8
190, Berent, 9820.4
Vangutten Cilfton O., 271-8 86th St
E. Evertty, 9820.8
Weaklo Enterprises, Wong Gary G.
10041 40th 175 E. Berent, 9820.5
1142 B. Gibson Rd Sto C31-4,
Evertty, 9820.4
West Thomas G., 11423 38th Dr SE,
West Thomas G., 11423 38th Dr SE,

erett, 98204. West Thomas G, 11423 38th Dr SE, erett, 98208. Whatcom Windshields, Highley Allan A, 9925 4th Ave W # 2, Everett, 98204.

lan A. 9925 4th Ave W. 8 2, Everett, 98204.
Wise Fisheries Inc., 10522 26th Dr. 85, Everett, 98208.
Woodes Computer Service, Branker-hoff Gaven W. & Patricia A. Hawley, 12631 Highway 99 S, Everett, 98204.
Wirtler's Bloo, Trubakh Patricia K. Box 5231, Everett, 98206.
Evergreen Lawm Maintenince, Peolog Grant Lawn Maintenince, Peolog Grant Lawn Maintenince, Peolog Grant Corp. Inc. The, Box 46, Grantic Falls, 98252.
Green Gables General Store, Monie Cheryl F, 32518 Mountain Loop Hwy, Grantie Falls, 98252.
House Cleaning, Boudager Annal Man 128, Grantie Falls, 98252.
Starr Stuffnsuch, Starr Mel C & Deans S, Box 1263, Grantie Falls, 98252.

98252.
R K Const, Krona Raymond R Jr & Patricis S, Box 83; Index, 98256.
A J Concrete Forming West Inc. 2219 130th Dr NE, Lake Stevens, 98256. 95256.
Ali Star Nursery, Routt Randall, 1901 N Machias Rd, Lake Stevens, 98258.

6714 123rd Ave NB, Lake Stevens, 98258.
Chetah Construction Inc. 3210 147h Ave NB, Lake Stevens, 98258.
Clear Image, Minney Bredford B, 12202 in Lakeshore Dr # 7, Lake Stevens, 98258.
Destlay Development Inc. 404 B Lake Stevens, 98258.
Erotic Birds Etc, Humbarger Kimberly D & Denald H 2nd, 6010 147h Ave NB, Lake Stevens, 98258.
General Maintenance Co, Pierce Nave NB, Lake Stevens, 98259.
General Maintenance Co, Pierce Nave NB, Lake Stevens, 98258.
Laser, Impressions, Dea Amins'S, 11714 Meridian PJ SB, Lake Stevens, 98258.
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Lammons Flora's, Lemmons Recee L

17714 Meridian Pl SE, Lake Stevens, 28238.

Lemmons Flora Lemmons Reroe L. & Gay L. 4106 Callow Rd. Lake Stevens, 98238.

Mark of Excellence, Radouevich Mark P. & Chartitist, 1377 115th Dr SR. Morthwest M. Stevens, 1377 115th Dr SR. Morthwest M. Chartitist, 1377 115th Dr SR. Morthwest M. Chartitist, 1377 115th Dr SR. Morthwest M. Stevens, 1377 115th Dr SR. Morthwest M. Lake Stevens, 98258.

Prictision Contractors NW, Morriw Onder, 24,246 120th Dr NR. Lake Stevens, 198258.

Spade & Archer Investigations, Spade & Archer Investigations,

Sievens, 98258.

Spade & Archer Investigations,
Zeller Donald L. Box 576, Lake Stevens,
98258.

92.5.8.
The Bookworn Preschool & Child-care, Kurishineh, Mary B. 1210 102nd Dr. SB. Lake Stevens, 98.25.8.
The Kid Connection, Barney Tanaya L. 12621 18th IS: SR, Lake Stevens, 92.5.8.
The Original Tools Tertyall, Mathew Steins & Thomas Box 30, Lake Stevens, 96258.
Zarabelika S. Chale

The Original Toshis Tertyali, Mathew Scient & Thomas, Box 30, Lake Stevens, 92258.

Zarabeths Chalr, McKinnon Zarabeth L421 N Marchis Rd, Lake Stevens, 98258.

A J's Interface Palating, Wood Allison J, 20830 58th Pl W, Lynnwood, 98136.

J. Lateriae Painting, Wood Alliam J. (2038) 188 P W. Lynnwood, 1983 (1984) 189 PW. Lynnwood, 1983 (1984) 189 Perfect Ten Nails & Accessories, 1984 (1984) 189 Perfect Ten Nails & Accessories, 1984 (1994) 1984 (1984) 1984 (1

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Alddrwood Excrow 1st, 19321 36th
Ave W Ste C & D, Lynnwood, 98036.

Apache A: ms. Barels Wayne II,
1400 Admiralty Way # Li04, Lynn-

wold, 92037.
Autrora Leiles Health Spa, Bailey Joseph & Choing U. 16716 Highway 99 ff L Jamwood, 98037.
B & D Martie, Osljontjen Demis J. 96413 182nd PSW. Lynnwood, 98037.
Band Ald Musie Lie, 19400 36th Ave W # 21, Jamwood, 98037.
Bay Par Associates, Puriell Jr & Big-ford, 3303 148th Ave SW. 42, Lynnwood, 98037.
Blimarie Mortgage Company, 3400 188th St SW # 510, Lynnwood, 98037.
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M, Bux \$206, Lymwood, \$8046.
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P, 14725 Highway 99 # A, Lynnwood,
9807.
CC Cleaning, Miller Cuby 1.
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Dean Services, Dean Carl A &
Angel M, 20425 58th Ave W, Lymwood,
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19434 24th Ave W, Lymwood,
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036. Dolfays Pro Shop, Hoskins William : 5120 186th Pl SW, Lynnwood,

D, 5120 186h rs 98037.
Freebergs Garden Service, Freebergs Garden Service, Freebergs Don R, 22002 Locust PI, Lynnwood, Capply,

98036.
Fun & Games Painthall Supply,
Trump Lowell E, 14500 Admirally Way
# M203, Lynawood, 98037.
Guilliams Larry L, Box 5628, Lynnwood, 98046.
Halda Transportation Service, Axtell Russell C, Box 5555, Lynnwood,
98046.

Harry Construction, Hungy Michael
Harry Construction, Hungy Michael
178 212h Pl SW. Lymawood, 98016.
Hermis Inll, Riigim Valentin, 16626
6th Ave W # E396, Lymawood, 98037.
Hovander Paula A, 6709 2016; Pl
SW. Lymawood, 98036.
Integrity Bullders, Hanby Ross B,
6702 202nd St SW, Lymawood, 98036.
Kids Like Us Jayme Thompson.
Thompson layma L, 5317 181 n Pl SW.
Lymawood, 98036.

Jamwood, 98037.
Kida Like Us-Mary Nossum, Nos-tum Mary B. 4421 182nd Pl SW, Lynn-wood, 98037.
Kiela Desiree L, 21405 Hwy 99 Ste B, Lynnwood, 98036. Ku Ta Hya Designa, Hartzell Robert V, 20226 33rd Ave W # B, Lynnwood,

98036.
LA Properties Inc. 12503 Nykileo
Soly, Jymwood, 98036.
Larrys Estadees Mosile Sharpen
Ing Service, Thomas Larry, M. Box 59.
Lymwood, 98046.
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C. 2022 56th Ave W. Lymrood, 98036.

Lacky House, Yang Sung Kon, & Sun Ja, 1890 Highway 99 # Ja, Lymrood, 9805.

M. & M. Lymrood, Physics of the Control of

1711 Meadowdis Dr. Lymnwood, 98037.
98037.
1861 Insurance Agrecyllas, 19221
36th Ave W.Sc. 210, Lymnwood, 98036.
1870 Miles To Go, Mathieser & Pillenn, 19508 Dumon Kal, Lymnwood, 98036.
1870 Bumon Kal, Lymnwood, 98036.
1870 Sun Bumon Kal, 1970 St. 1970 St

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rmines that the proposed program is kely to help schieve the goals; the minered changes to the program which expected to be effective. The any decision shall be in writing; and your wittin hinery 1900 days of the ort is submitted.

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who disagrees with a preliminary who disagrees with a preliminary be Director regarding the approval of a CTR program or changes to the save in disagreement. The Peer shall pinks, becommendation to the wing meeting with the employer, if respects a preside a final decision regarding employer's CTR program within a company of the president production of the Peer Review installation of the president in the distribution of the final decision installation of the president in the distribution of the

ibmit an initial CTR program or an n extension or reconsideration is al decision without first issuing a

tal CTR report to the Director, date assigned by the Director after ram. Annual reports shall be due

S Rickh

in annual report is due an employer complete its annual report. This eting date for subsequent years.

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of the GTR program; and if I revisions to the GTR program to

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livatent information must be ulvatent Information must be 99 reports. Employee surveys of mary source of data about an noe. Washington State Energy there shall be used to measure is goal attainment, unless the aution which is provided by the

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traveled per employee and a filitien percent (15%) reduction (25%) reduction by January, I, 1997 by January I, 1999, from the base zone in which the worksite is

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w one hundred (100) affected cited employer status within the same bloyer will be a re-affected employer gram goals that would have applied red (100) employees.

ow one hundred (100) affected cted employer status after Iwelve (12) y affected employer and will be newly affected employers.

oyer to notify the Director and ge in status as an affected employer.

d employers are shown in

surveyed proportion of SOV per employee will serve as the employer's SOV base year value.

The survey must be conducted by conformance with this ordinance and a sievesty percent (70%) response rate shall be required for all proposed to the survey of the W 18th

(1) 25.02.070

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for a modification be fits base year various to conferent with its sorrey feetalls.

1070 Esemptions, Credit and Adjustment to Definition of Affected Employee.

Exemptions.

Beginning in 1995, an affected employer was peoply to the Director for an exemption from all CTR program requirements for a particular control. The Director may grant present produced by a footbook of present anality to the present produced by a footbook of the present anality to implement any respirators to 5 feeting 5.20, 2040. A speed for an exemption must be made in withing in amount than in here for 500 days, and the modification of the footbook of the fo

Great for Successful Transportation Demand Management Program

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employer who has already inch both two MTP per employers and parentles of SOV (ring goals for one or more future goal years in any expense in subset from
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requirement or more proport for the goal years. An employer substitute
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if any of the goal year annual reports indicates the employer does not definite
the native means commit in writing is of continue in sources CTR level 4st efforts
it any of the goal year annual reports indicates the employer does not destiny
the next applicable year's goal, the employer shall immediately become instead
to all requirements of this continues.

Requests for credit shall inclode results from a survey of employee, of reduction of proportion of GOV trips. The servey or equivalent
information shall conform to all applicable standards established in this
ordinance.

ordisance.

Credit for Telecommulag, Bicycling, Walking and Compressed Work Week Schedules. C.

Schodules.

Trips avoided by telecommuting and compressed work week scheduler, and trips made by bicycling and walking, shall be multiplied by two tenths (0.2) and subtracted from the number of SOV commute trips when calcululing the proportion of SOV vehicle trips and VMT per employee.

Adjustment to the Calculation of Affected Employee.

An affected employer may sequest an adjustment to the calculation of affected employer. If the supplyer can demonstrate that it requires certain employees to use the vehicles they drive to work during the work day for work purposes. Any employee who need freegent and regular access to the vehicle the or the drives to work, for which no reasonable alternative committe mode exists, will not be included in the calculations of proportion of SOV trips and VMT per employee tred to determine the employer's progress toward program goals.

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An affected employer may request an adjustment to the calculation of affects d employes if it can demonstrate that it requires full-time employees over varying shifts, so that these employees sometimes begin such as that the second of the employees sometimes begin such as this between 6 m.m. to 9 m.m. and as other times begin what shifts notated that time period. The employeer shall provide documentation indicating how many employees meet this condition, and must demonstrate that no restanciable alternative commute the practicion program can be developed for these employees. Under this condition, are applicable goods will not be changed, but those full-time employees working varying shifts need not be included in the calculations of proportion of SOV trips and VMT per employee used to determine the employer's progress toward program goals.

Adjustments to the calculation of affected employee shall not apply to full-time employees who rotate shifts together, as a group.

An adjustment to the calculation of affected employee for the purpose of determining employer progress toward achieving the CTR goals does not change whether the employer is subject to this ordinance.

Appeal of Director's Final Decision 25,02,080

An affected employer may appeal the Director's final decision regarding exemptions, changes to lite CTR program measures, croftly, adjustments to the accidation of affected employer, and volations to the CTR Appeals Board. The notice of appeal must be filled with the Director within fifthen (15) days after the Director's final decision is mailtied to the employer.

The Appeals Board shall review the appeal to determine If the Director's final decision is consistent with RCW 70.94 and this ordinance. If the Appeals Board oct-trainer that the decision is Inconsistent, If shall reverse or modify the decision as appropriate. If the Appeals Board determines that the decision is appropriate, and the Appeals Board determines that the decision is consistent; the Director's final decision shall be upheld.

## 25,02.090 Penalties

Civil Penalties

- Civil Penalties

  The Director shall notify the employer of his intent to impose a civil penalty for violation of his ordinance. The Director may not impose a penalty will the completion of the administrative appeal authorized by SMC 25.02.089.

  An affected amployer who commits any of the following acts is subject to a civil penalty as a clearly civil influence may be a clear penalty and the completion of the administrative appeal authorized by SMC 25.02.089.

  An affected amployer who commits any of the following acts is subject to a civil penalty as a clearly civil influence and a clear project of the Director as required by this ordinance. Each day of failure to indinate a CFR program or annual report had constitute a separate ciolation and if a subject to a civil penalty. The penalty for each violation shall be 2570 per day.

  Failure to implement an approved CTR program or change an unacceptable CTR program measure after the first goal year, after receiving notice of violation. Each day of failure to implement an approved CTR program or ignitive distribution. Each day of failure to implement an approved CTR program or played in property. The penalty for each violation shall not exceed \$250 per day and shall be based on the 1 degree of playing of implement.

  Failure to make available to the Director any decumentation supporting an annual report as received pursuant to \$2,02,050 B.6. Each day of failure to implement to contact and the property of the penalty for each violation shall be \$250 per day.

- Pursuant to RCW 70.94.514 (f), in employer shall not be liable for civil penalties if a violation was the result of air inability to reach agreement with a certified collective bargaining agent under applicable laws where the laste was raised by an employer and pristored in good faith. A unionized employer shall be presumed to act in good faith if it:

  - stumed to act in good tatus as it:

    Proposes to a recognized union any provision of the employer's CIR
    program that it subject to begaining as defined by the National Labor
    Relations Act; and

    Advises the union of the extreme of the satisfic and the foundates of
    the CIR program approved by the City, and advises the union that the
    proposal being made is indextary for compilance with state law (RCW
    70.94.531).

An employer who submits a report pursuant to this ordinance is subject to state and local laws making it a crime to submit false information. These laws include, but are not limited to, RCW 9A.76.020 and SMC 12A.16.040.

Commission designated by the chair of the "Hanning Commission, and orlivate sector employer appointed by the City Concells "Terms of appare two (2) years and members may be reappointed.

Section 2. In compliance with RCW 70.94.527(4)e, the city has rivide

Section 4. If any provision of this ordinance or its application to any person constitute is held invalid, the remainder of this ordinance or the application of ovision to other persons or electrostances is not affected.

Passed by the City Council this 29th day of April, 1989, and on in surhesettortion of its passage this 28th day of April, 1993

MARGABET PAORLER, President Fro Tem of the City Council. Approved by me this 29th day of April, 1993. NORMAN S. BICE,

Mayor. (2) Filed by me this 29th day of April, 1993. (Seal) By: MARGARET CARTER,

(Seal) By MARICARDA Voc.
Deputy.
Publication ordered by JUDITH PIPPIN, City Glark.
Date of outla! publication in Daily Journal of Commerce, Scattle, May 13,
5718(20078)

## New Businesses

This is a faily listing of new businesses retently recorded by the state Department of Revenue. Names are for furni tis King, Plance, Snohomish, Klisan, Thurston and Spokane counties. Only mailing addresses are given Names may be for new ovinerably, branches of estates from or those whose previous (tensie hat Supect. Triess events are available or magnetic did not be able to the second of th

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SNOHOMISH COUNTY

V S A Vision Systems of America.
Shannon Russell I, 13320 Highway 99 # 190, Bevert, 98204.
Vangutten Cilfton O, 2714 86th St SE, Everett, 98204.
Westho. Enterprises, Wong Gary G, 1001 40th P15tf, Evereu, 98205.
Webers Security, Products, Weber Steve P, 11812 B Gibborn Rd. Ste C314, Everett, 98204.
West Thoons G, 11423 38th Dr SE, Bevertt, 98204.
Whatcom Windshields, Highley Allan A, 9925 4th Ave W # 2, Everett, 98204.

Servite Servin Page 1982 26th Dr. St. Herest, 98208. Lecret, 98208

rento Joseph A. 503 B. Gallans S. & 2003. Granite Palis, 98252.
Granite Group Inc The, Box 46, Granite Palis, 98252.
Green Gables General Store, Morier Cheryl P. 32518 Movinatian Loop How, Granite Palis, 98252.
House Clearling, Boulanger Anneue M. Rox 132, Granite Palis, 98252.
Star Stüffmauch, Star Med C. & Deans S. Box 1263. Granite Palis, 98252.
R. K. Const, Krona Raymond R. T. & Petricia S. Box 33. Jandex, 98255.
A. J. Courte-e Forming West Inc., 2219 1300 hr NB: Lake Stevens, 98256.
All Star Nursery, Routt Randall

All Star Nursery, Routt Randall, 1901 N Machias Rd, Lake Stevens, 98258.

98258.

B & B Commercial Cleaning.
Berger Rhonda L, 11016 Lakeview Dr.
Lake Stevens, 98258.

B C Firearms, Fischer Bemard C,
6714 123rd Ave NH, Lake Stevens,
98258.

B. C. Firearms, Firefore Bennard, C. 1714 1227d Ave NB, Lake Stevens, 98238.
Cheitah: Construction Inc., 3210 147th Ave NB, Lake Stevens, 98235.
Chear Inage, Minney Bradford B, 1220x1 Nb, 1240x1 Nb,

Spade & Archer Investigations, Spade & Archer Investigations, Caller Docatid, 1980 375, Lake Stevens, 922.85. Blockworm Prechool & Child. Care, Kuthanken Mary B. 1210 102ad Dr. Sil. Lake Stevens, 922.84. The Kid Connection, Bamey Innays, 1, 12621, 18th St. Stevens, 922.58. The Original Tostis Tertype 192.55. The Original Tertype 192.55. The Tertype

B, Lynnwood, 98037.

Alderwood Escrow Inc., 19321 36th
Ave W Ste C & D, Lynnwood, 98036 at
Apache A. ms., Barels Wayne B,
1400 Admiralty Way # L104, Lynn-

wood, 98037.
Aurora Ladies Heakh Spa, Bailey
Joiceh & & Chong U, 16716 Highway
99 ff, Lynnwood, 98037.
B & D Marine, Oblomen Dennir J,
6413 182nd FJ SW, Lynnwood, 98036.
Base Co, Smith Nicola C, 18501 66th
Ave W Hy, Lynnwood, 98036.
Base Co, Smith Nicola C, 18501 66th
Ave W, Lynnwood, 98037.
Big Pur Associates, Purnell Jr & Higford, 3503 148th Ave SW # 32, Lynn
wood, 98037.
Blomerak Mortgage Company, 3400
188th Si SW # 610, Lynnwood, 98037.
Bolme Mark W & Amanda L, Bos5803, Lynnwood, 185037.
Bolme Mark W & Amanda L, Bos5803, Lynnwood, 186037.
Bumps & Grinds, Westphal Kenneth
P, 14725 Highway 99 # A, Lynnwood, 98037.
C N C Cleaning, Miller Cathy I,

M. Biox 5206, Lymwood, 98046.
Bumps & Grindg, Werspla Kenneth
P, 14725 Highway 99 # A, Lymwood,
98037.
C N C Cteaulng, Miller Cathy I,
17525 31st Ave W, Lymwood, 98037.
Cadd 1t, Bouman David J, 18016.
Sidh Ave W PTIO, Lymwood, 98037.
Club 4 Alano Lounge Inc, 15709.
Club 4 Alano Lounge Inc, 15709.
Chub 5 Alano Lounge

98036.
Dolfays Pro Shop, Hodkins William D, 5120 188th Pl SW, Lynnwood, 98037.
Freebergs Garden Service, Freeberg Don R, 22002 Locut Pl, Lynnwood, 98036.
Fun & Gemes Palniball Supply, Trump Lowell B, 14500 Admirahy Way M7026, Lynnwood, 98037.
Guilliams Larry L, Box 5628, Lynnwood, 98037.

Haida Transportation Service, Ax-tell Russell C, Box 5666, Lynnwood, 08046

rimon a ransportation Service, Axtell Russell, C. Box 5565. Lymnwood, 98046.
R. Ros 2164 Br. Sw. Lymnwood, 98036.
R. Tös 2164 Br. Sw. Lymnwood, 98036.
R. Tös 2164 Br. Sw. Lymnwood, 98037.
Hovander Paula, A. 6709 2011: Pl. Sw. Lymnwood, 98037.
Horander Paula, A. 6709 2011: Pl. Sw. Lymnwood, 98036.
Ridet Like Us. Jayme Thompson, Thompson, St. Sw. Lymnwood, 98036.
K. Markey R. Sw. Lymnwood, 98036.
K. Like Us-Mary Nossum, Nossum, Nossum, Mary E. 4221 B2nd Pl. Sw. Lymnwood, 98036.
K. Wa Hay Designa, Hertzell Robert V, 20326 33rd Ave W. # B, Lymnwood, 98036.
Sw. Lymnwood, 98036.
Larry Excludes Wolfe B, Lymnwood, 12708.
Larry Excludes Wolfe B, Lymnwood, 98036.
Larrys Lectronix, Wilson Lawrence C, 20222 56th Ave W, Lymnwood, 98036.
Larrys Lectronix, Wilson Lawrence C, 20222 56th Ave W, Lymnwood, 98036.
Larrys Lectronix, Wilson Lawrence C, 20222 56th Ave W, Lymnwood, 98036.
Larrys Lectronix, Wilson Lawrence C, 20222 56th Ave W, Lymnwood, 98036.
Larrys Lectronix, Wilson Lawrence C, 20222 56th Ave W, Lymnwood, 98036.

C. 20222 56th Ave W. Lynnwood, 28036.
Lacky House, Yang Sang Kon, & San Ja, 1804 Highway 99 Ja, Lynnwood, 98036.
M & M Trucking, Marks Mary Jo, 6426 185th St SW, Lynnwood, 9807.
Mackens C. O., Michan Sunti D. 728 212h Pl SW, Lynnwood, 9805.
Mad Concrete Cutting & Coring Inc., tox 1831, Lynnwood, 98056.
Inc., tox 1831, Lynnwood, 98066.
Sing Ling Coring Corin

98037. Meynturff Monecal 72/ 145th Pl Wy Lymwood, 98037. Medical Claims Specialists Dec. 17111 Mesdowdale Dr. Lynnwood, 98037. Medical Claims Specialists Dec.

Miles To Go, Mahineser R. 1971. Lynnvood, 98037.

Meler Insurance Agency Inc., 19221.

Miles To Go, Mahineser R. 1982.

Miles To Go, Mahineser R. 1982.

Miles To Go, Mahineser Miles H. 19508 Damton Rd. Lynnwood, 98136.

Miles To Go Mahineser Miles H. 19508 Damton Rd. Lynnwood, 98136.

Molds SP Melt, White Gorin R. 42.

Loan A. 20815 67th Ave W. Lynnwood, 98036.

Mortgage Processing Service, Johnton Staan M. 6623 1824 S. SW. Lynnwood, 98037.

Nguyen Bich-Thao Th., 3732 Maple St. Lynnwood, 98037.



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risser.

## Seattle Ordinances

schieving the goals. modes and CTR strategies included

ics of pedestrian, bloycle, transit, and HOV access and facilities the employer's worksite.

nefit to be derived from a specific ment as well as its effect on the entire

ducing the relative cost or improving nee of commuting by non-SOV a by SOV.

Sover the proposed program thanges, all issue a final decision, and the dee in the program and implemented

mines that the proposed program Is telly to help achieve the goalt; the unend changes to the program which spected to be effective. The ry decision shall be in writing; and grew within ninety (90) days of the rt is submitted.

ris summers.

may request that the employer may request that the midder a preliminary decision.

CIR program elements, except for requirements of 25,00,200 B. The yappy in writing for reconsideration may decision widthin fifteen (15) ate the Director's preliminary aided to the employer. The Director is the employer, to discuss program application for reconsideration quest for a meeting. The Director employer a written response to the consideration.

consideration, who disagrees with a preliminary to Director regarding the approval of a CTR program or change, to the rack the Pere Review Pand to same in disagreement. The Pere shall make, Lectonmendation to the wing theseling with the employer, If concepts a finishing, and the preliminary shall make a that decision regarding employer's CTR program within a of making a preliminary decision, suddential on the Pere Review endstion and the preliminary

(30) days of written notification of final decision regarding required iffications, an employer shall observe the first of the first of

bmit an Initial CTR program or an n extension or reconsideration is al decision without first issuing a

ual CTR report to the Director,
dete assigned by the Director after
ram. Annual reports shall be due

ting in each of the CTR program

nod of measuring its VMT per zonal trip length or the employer's

ulvalent Information must be
999 reports. Employee surveys of
mary source of data about an
nice. Washington State Energy
after shall be used to measure
ds goat attalament, unless the
nation which is provided by the

ly percent (70%) of all affected enty percent (70%) of the sample is (70%) response rate is not achieved,

below seventy percent (70%) of the

s a. and b. above, if approved by

traveled per employee and
a filteen percent (15%) reduction
(25%) reduction by January 1, 1997
by January 1, 1999, from the base
zone in which the worksite is

Zones and Base Year Values

Base year values for determining proportion of SOV trips and VAIT per employee are identified in Attachment B for each CTR zone. An emplo-may modify its base year values by meeting either of the following two meditions:

- If an affected employer can demonstrate that its worksite is configuous with a CTR zone boundary and that the worksite conditional affecting inderinative communities options are smiller in those for employers as desirative communities options are smiller in the soft employer and configuration of the communities of the configuration of the conf
- modification at least fully (49) anys prior to its initial. Cit is progressive submitted.

  2. Beginning in 1995; if an aiffected employer can demonstrate that is a result of special characteristics of its business or its location, in 300, bisse year value as determined by survey results is more than fillipson (15) pyrocenage points higher finanche faight per value for its zone; the affected employer may use its survey to glopp for an emofilication of its SOV bisse year value. If the modification is granted, the employer as surveyed proportion of SOV per temployee will serve as the employer a 500 base year value.

  The survey must be conflucted in conformance with this suddingore and a sevenity percent (70%) response rate shall be required for employer to be eligible to modify its biss year value. For drample, if a CTR time is base year value from proportion of SOV is servenly four percent (74%), and an employer is survey demonstrate that for exponent of the state of

Exemptions, Credit and Adjustment to Definition of Affected Employee. 25.02.070

Beginning in 1995, an affected employer may apply to the Director for an exemption from all CTR program requirements for a particular evolutile. The Director may prant an exemption upon P. Aing Bad, as a result of special characteristics of the employer a business or just Section, the employer is unable to implement any requirements of Section 25.02.006. A required for an exemption must be made in witting on sooner than intely (90) days after the employer. If sits annual report due date. The Director shall sensually review all employer exemplons, and shall determine whether the exemption will be in effect during the following program year.

Credit for Successful Transportation Demand Management Program.

In either the initial CTR program description or any annual report, an affected employer who has already met both the VAIT per employee and proportion of SOV trips goals for one or more inture goal years, may request a walver from the requirement to orbind till following year's annual report and from the requirement or survey or the annual reports for the requirements to report performance in annual reports for the goal years, An employer reaching this walver must commit in writing to continue its current CTR level of effort.

If any of the goal year annual reports indicates the employer does not salisfy the next applicable year's goal, the employer shall immediately become subject to all requirements of this ordinance.

Requests for credit shall include results from a survey of employees, or equivalent information that establishes the applicant's reduction of VMT per employee and reduction of proportion of SOV trips. The survey or equivalent information shall conform to all applicable standards established in this

Credit for Telecommuting, Bicycling, Walking and Compressed Work Week Schedules.

Trips avolded by telecommuting and compressed work week schedules, and trips made by bleyeling and walting, shall be multiplied by two-tenths (0.2) and subtracted from the number of SOV commute trips when calculating the proportion of SOV wellstle trips and VMT per employee.

An affected employer may request an adjustment to the calculation of affected employee if the employer can demonstrate that it requires creatal employees to use the whickles they drive to work during the work day for work purposes. Any employee who needs freepent and regular access to the whicke he or she drives to work, for which no reasonable alternative committee mode exists, will not be included in the calculations of proportion of SOV tips and VMT per employee used to determine the employee's progress toward program goals.

The employer shall provide documentation indicating how many employees meet this condition and why.

Seasonal agricultural employees, including seasonal employees of processors of agricultural products, are excluded from the cont of affected employees.

2. An affected employee if it beth demonstrate that it requires foll-dimensional employees of affected employees.

2. An affected employees it is ten demonstrate that it requires foll-dimensional employees are considered to the employees of the employees to work varying shifts, to that these employees proceeding the employees of the employees are considered to the employees of the employee of the employees of th

- after the Director's final decision is maken to the employer.

  The Appeals Board shall review the appeal to determine if the Director's final decision is consistent with RCW 70.94 and this ordinance. If the Appeals Board dex. mines that the decision is inconsistent, it shall reverse or modify the decision is appropriate. If the Appeals Board detergings that the decision is consistent; the Director's final decision shall be upheld.

## 25.02.090 Penalties

- Civil Presalties

  The Director shall notify the employer of his intent to impose a civil penalty for violation of this ordinance. The Director may not impose a penalty until the completion of the administrative appeal authorized by SMC 25.07.080.

  An affected amployire who commits any of the following acts its subject to a civil penalty as a class I civil infiniteion purposant to RCW 7.80.130, as provided herein.

  Failure to submit a CTR program or senuel reject to the Director as required by this ordinance. Each they of failure to submit a CTR program or annual groot shall constitute a separate violation and it subject to a civil penalty. The penalty for each violation shall be 5250 per day.

  Failure to implement an approved CTR program or change an autocceptable CTR program measure after the first goal year, after receiving notice of violation. Each day of failure to implement an approved CTR program measure is a separate violation and it is subject to civil penalty. The penalty for program measure is a separate violation and its subject to civil penalty. The penalty for each

Peer Review Penel

The Director shall appoint five (5) public and private sector employers to a Peer Review Parel. Terms of appointment are two (7) years, and members may be reappointed. The Peer Review Parel may contide employer disagreement with preliminary decisions by the Director regarding exemptions, credits, applicability of this ordinance to the employer, violations calculations of affected employers, and approval of the employer's CTR program or changes to the program.

The three (1) members of the Appeals Board are a Director of a City. Department designated by the Mayor, a member of the Seattle Planning Commission designated by the chair of the Planning Commission, and a private score employes appointed by the City Covell. Terms of appoint are two (2) years and members may be reappointed.

Section 2. In compliance with RCW 70.94.527(4)e, the city has reviewed its

g policies. The City expects to further analyze parking policies and ordinances

Section 4. If any provision of this ordinance of its application to any person

or circumstance is held invalid, the remainder of this ordinance or the application of

Passed by the City Council the 23th day of April, 1993, and signed by me in open on in authentication of its passage this 28th day of April, 1993,

MARGARET PAGELER, President Pro Tem of the City Council, Approved by me this 29th day of April, 1993. NORMAN B. RIOE,

Mayor. Filed by me this 20th day of April, 1993. (Beal) By: MARGARET CARTER,

Deputy,

Deputy,

Publication ordered by JUDITH PIPPIN, City Clerk.

Date of official publication in Daily Journal of Commerce, Scattle, May 13,

Date of official publication in Daily Journal of Commerce, Scattle, May 13,

513(29975)

## New Businesses

This is a daily listing of new businesses recently recorded by the state Department of Revenue. Names are for firms in King, Pierce, Snohomith, Klisap, Thurcin and Spokane counties. Only mailing addresses are given. Names may be for new ownership, brunches of exiting firms or those whole previous items has bayesed. These records are available on magnatic Medical Control of the Spoken Spoken

## SNOHOMISH COUNTY

V S A Vision Systems of America, Shannon Russell I, 13320 Highway 99 # 190, Everet, 98204. Vanputten Clifton D, 2714 86th St K. Reverte, 98205. Venkto Enterprises, Wong Cary G, 1691 (26th 1815, Everett, 98205. Venkto Enterprises, Wong Cary G, 1691 (26th 1815, Everett, 98205. Sieve P, 11812 B Gibson Rd Ste C314, Everett, 19820.

Webers ector, 1812 H Gibson Rd Sie C314, Eversti, 98204. West Thomas G, 11423 38th Dr SE, Eversti, 98208. Whatcom Windshields, Highley Al-lan A, 9925 4th Ave W # 2, Eversti, 98204.

Whateom Windshields, Highley AlJan A, 9925 4th Ave W. \*2, Everent,
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982 182 4th Ave W. \*2, Everent,
982 182 4th Ave W. \*2, Everent,
982 4th Averent,
982 5th Aver 98256 All Star Nursery, Routt Randall, 1901 N Machias Rd, Lake Stevens, 98258

98258 B & B Coms. Stal - Cleaning, Berger Riccids L, 11016 Lebroise Dr. Lake Steveni, 98258. B C Ffrearms, Fischer Bernard C, 6714 1237d Ave NB, Lake Stevens, 98258.

6714 123 di Ave NE, Like Serveis,
98258.
Chertik Construction Inc. 3210
147th Ave NR, Like Stevens, 98258.
Cleir Image, Mimory Bradford R.
10220 N. Lakentone Dr. # 7, Lake
Stevens, 98258.
Destiny Development Inc. 404 E
Lake Sevens Rd. Lake Sevens, 98258.
Inc. 2012 N. Lakentone Dr. # 7, Lake
Sevens Rd. Lake Sevens, 98258.
Inc. 2014 Lake Sevens, 98258.
General Mainteanne Co., Pierce
Nocl. & Definiter, Box 641, Lake
Sevens, 98258.
Graphic Aire, Owens John F., 2403
Madrona Dr. Lake Sevens, 98258.
I Lake Sevens, 98258.
Graphic Aire, Owens John F., 2403
Madrona Dr. Lake Sevens, 98258.
Sevens, 98258.
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Lakentons Floral, Lemmont Rebel.

11714 Meridian Pl SE, Lake Savigas, 923-8.
Lesissons Floral, Lemmous Reries L. City J., 4106 Callow Rd, Lake Savigas, 923-8.
Lesissons, 1923-8.
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Lake Savigas, 19

Stavens, 98258.

Zeller Donald L. Box 576, Lake Stavens, 98258.

The Beakwarss Preschool & Child.

wood, 98037.
Aurora Ladies Health Spa, Bailey Joseph A & Chong U, 16716 Highway 99 #E, Lymwood, 98037.
B & D Marine, Obljometen Dennis J. 6413 18204 PISW, Lymwood, 98037.
Band Ald Music Inc, 19400 36th Ave W # £, Lymwood, 98036.
Bases Co, Smith Nicola G, 18501 66th Ave W # £, Lymwood, 98037.
Ave W L, Lymwood, 98037.
Bismark Mortgage Company, 3400
188th StS W # 610, Lymwood, 98037.
Bolme Mark W & Amanda L, Box 5820, Lymwood, 98037.
Bolme Mark W & Amanda L, Box 5820, Lymwood, 98046.
Braswell Enterprises, Braswell Leon M, Box 5206, Lymwood, 98046.
Braswell Enterprises, Braswell Leon M, Box 5206, Lymwood, 98046.
Braswell Enterprises, Braswell Leon M, Box 5206, Lymwood, 98046.

P, 14725 Highway 99 # A, Lyrnwood, 98037 | C Cleaning, Miller Caby 1, 1023 | 14 No W, 13 mirrord, 98071, C Cleaning, Miller Caby 1, 1023 | 14 No W, 13 mirrord, 98071, Cadd 11, 8001 | 800 mirrord, 13 Mirrord, 13 Mirrord, 14 No W, 17 IO, 13 mirrord, 98037, Club 4 A Alano, Lounge Inc, 15709 | Highway 99, Lynnwood, 98037, Custom Fibergiass, Repair, Bland Brent R, 14500 Admirally Way # A403, Lymwood, 98074, Sept. 10 Mirrord, 14 Mirrord, 14

wood, 98036 Designer Woodwork, Parker Scott J. 19434 24th Ave W. Lymwood, 98036. Doc & Co, Wyau Robin K & Brends L. 19311 74th Ave W. Lymwood,

L, 19311 am. 98036. Dolfsys Pro Shop, Hoskins William D, 5120 186th Pl. SW, Lynnwood, S.

Freebergs Garden Service, Freeberg Dod' R. 22002 Upout Pl. Lynnwood 98036.

1036. Carner Painthall Sapply, nump Lowell B, 14500 Admirahy Way M208, Lymwood, 98037. Cellitangs Larry L, Box 5028, Lymwood, 98046. Haida Transportation Service, Arall Russell C, Box 5666. Lymwood, 8046.

nell Russell C. Bon 3866: Lyrawood.
98046.
Hassy Construction, Henry Michael
P. 72 2 (23 Pt SW. Lyrawood, 98036.
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Hernest Ind., Birsy Valentin, 16626.
Hernest Ind., Birsy Valentin, 16626.
Hernest St. 1865. Lyrawood, 98037.
Hovansier Penin, A. 6709 2018; P. 1848
Harris Wellows, Harby Ross B. 5703 20244 St. 1879, North St. 1885
Kids Like Us Jayne Thompson, 1879, North St. 1885
Lyrawood, 98037.
Kids Like Us-Mary Nossum, North St. 1879
Kels Desires L. 2405 Hwy 99 Sts. 1870 1975
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98036.

LA Properties Inc 12603 Nyhilosogy, Junwood, 98036.

Larrys Estadees Modle Sharpes Inc. Larrys Estadees Modle Sharpes Inc. Larrys Estadees Wilson Lawrence C, 2022 56th Ave W, Lynnwood, 98036.

Lardy House, Yang Song Kon, & San Ja 18044 Highway 99 3 La Lynn-

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