

Union Gap, Washington, Code of Ordinances >> - SUPPLEMENT HISTORY TABLE >> **Title 9 - VEHICLES AND TRAFFIC >> Chapter 9.52 - COMMUTE TRIP REDUCTION* >>**

Chapter 9.52 - COMMUTE TRIP REDUCTION*

Sections:

[9.52.010 - Definitions.](#)

[9.52.020 - City CTR plan.](#)

[9.52.030 - Responsible city agency\(s\).](#)

[9.52.040 - Applicability.](#)

[9.52.050 - Requirements for employers.](#)

[9.52.060 - Record keeping.](#)

[9.52.070 - Schedule and process for CTR reports.](#)

[9.52.080 - Credit for transportation demand management efforts.](#)

[9.52.090 - Enforcement.](#)

[9.52.100 - Exemptions or goal modifications.](#)

[9.52.110 - Appeals.](#)

9.52.010 - Definitions.

"Affected employee" means a full-time employee who begins his or her regular work day at a single worksite between six a.m. and nine a.m. (inclusive) on two or more weekdays for at least twelve continuous months. Seasonal agricultural employees, including seasonal employees of processors of agricultural products, are excluded from the count of affected employees.

"Affected employer" means an employer that employs one hundred or more full-time employees at a single worksite who are scheduled to begin their regular work day between six a.m. and nine a.m. (inclusive) on two or more weekdays for at least twelve continuous months. Construction worksites, when the expected duration of the construction is less than two years, are excluded from this definition. (Also see definition of employer.)

"Alternative mode" means any means of commute transportation other than that in which the single-occupant motor vehicle is the dominant mode, including telecommuting and compressed work weeks if they result in reducing commute trips.

"Alternative work schedules" mean programs such as compressed work weeks that eliminate work trips for affected employees.

"Base year" means the period on which goals for vehicle miles traveled (VMT) per employee and proportion of single-occupant vehicle (SOV) trips shall be based.

"Carpool" means a motor vehicle occupied by two to six people traveling together for their commute trip that results in the reduction of a minimum of one motor vehicle commute trip.

"Commute trips" mean trips made from a worker's home to a worksite with a scheduled arrival time of six a.m. to nine a.m. (inclusive) on weekdays.

"CTR plan" means a city's plan and ordinance to regulate and administer the CTR programs of

affected employers within its jurisdiction.

"CTR program" means an employer's strategies to reduce affected employees' SOV use and VMT per employee.

"CTR zones" mean areas, such as census tracts or combination of census tracts, within the city characterized by similar employment density, population density, level of transit service, parking availability, access to high occupancy vehicle facilities, and other factors that are determined to affect the level of SOV commuting.

"Commuter matching service" means a system that assists in matching commuters for the purpose of commuting together.

"Compressed work week" means an alternative work schedule, in accordance with employer policy, that 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. This definition is primarily intended to include weekly and bi-weekly arrangements, the most typical being four ten-hour days or eighty hours in nine days, but may also include other arrangements.

"Custom bus/buspool" means a commuter bus service arranged specifically to transport employees to work.

"Dominant mode" means the mode of travel used for the greatest distance of a commute trip.

"Employer" means a sole proprietorship, partnership, corporation, unincorporated association, cooperative, joint venture, agency, department, district, or other individual or entity, whether public, non-profit, or private, that employs workers.

"Exemption" means a waiver from any or all CTR program requirements granted to an employer by the city based on unique conditions that apply to the employer or employment site.

"Flex-time" is an employer policy allowing individual employees some flexibility in choosing the time, but not the number, of their working hours to facilitate the use of alternative modes.

"Full-time employee" means a person, other than an independent contractor, scheduled to be employed on a continuous basis for fifty-two weeks for an average of at least thirty-five hours per week.

"Good faith effort" means that an employer has met the minimum requirements identified in RCW 70.94.531 and this chapter, and is working collaboratively with the city to continue its existing CTR program or is developing and implementing program modifications likely to result in improvements to its CTR program over an agreed-upon length of time.

"Implementation" means active pursuit by an employer of the CTR goals of RCW 70.94.521-551 and this chapter as evidenced by appointment of a transportation coordinator, distribution of information to employees regarding alternatives to SOV commuting, and commencement of other measures according to its approved CTR program and schedule.

"Mode" means the means of transportation used by employees, such as single-occupant motor vehicle, rideshare vehicle (carpool, vanpool) transit, ferry, bicycle, walking, compressed work schedule and telecommuting.

"Notice" means written communication delivered via the United States Postal Service with receipt deemed accepted three days following the day on which the notice was deposited with the

postal service unless the third day falls on a weekend or legal holiday in which case the notice is deemed accepted the day after the weekend or legal holiday.

"Peak period" means the hours from six a.m. to nine a.m. (inclusive), Monday through Friday, except legal holidays.

"Peak period trip" means any employee trip that delivers the employee to begin his or her regular workday between six a.m. and nine a.m. (inclusive), Monday through Friday, except legal holidays.

"Proportion of single-occupant vehicle trips" or "SOV rate" means the number of commute trips over a set period made by affected employees in SOVs divided by the number of potential trips taken by affected employees working during that period.

"Single-occupant vehicle (SOV)" means a motor vehicle occupied by one employee for commute purposes, including a motorcycle.

"Single-occupant vehicle (SOV) trips" means commute trips made by affected employees in SOVs.

"Worksite" means 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 occupied by one or more affected employers.

"Telecommuting" means the use of telephones, computers, or other similar technology to permit an employee to work from home, eliminating a commute trip, or to work from a work place closer to home, reducing the distance traveled in a commute trip by at least half.

"Transit" means a multiple-occupant vehicle operated on a for-hire, shared-ride basis, including bus, ferry, rail, shared-ride taxi, shuttle bus, or vanpool. A transit trip counts as zero vehicle trips.

"Transportation demand management (TDM)" means a broad range of strategies that are primarily intended to reduce and reshape demand on the transportation system.

"Transportation management organization (TMO)" means a group of employers or an association representing a group of employers in a defined geographic area. A TMO may represent employers within specific city limits or may have a sphere of influence that extends beyond city limits.

"Vanpool" means a vehicle occupied by from seven to fifteen people traveling together for their commute trip that results in the reduction of a minimum of one motor vehicle trip. A vanpool trip counts as zero vehicle trips.

"Vehicle miles traveled (VMT) per employee" means the sum of the individual vehicle commute trip lengths in miles made by affected employees over a set period divided by the number of affected employees during that period.

"Week" means a seven-day calendar period starting on Monday and continuing through Sunday.

"Weekday" means any day of the week except Saturday or Sunday.

"Writing," "written," or "in writing" means original signed and dated documents. Facsimile (fax) transmission are a temporary notice of action that must be followed by the original signed and dated

document via mail or delivery.

(Ord. 2121 § 1, 1998)

9.52.020 - City CTR plan.

The city's CTR plan, consistent with the Commute Trip Reduction Act of 1991, as amended in 2006 in the Commute Trip Reduction Efficiency Act, is attached to the ordinance codified in this chapter as Attachment A and is wholly incorporated in this chapter by reference. This Attachment A (CTR plan) replaces the previously adopted CTR plan for the city.

(Ord. 2550 § 1, 2008; Ord. 2121 § 2, 1998)

9.52.030 - Responsible city agency(s).

The city administrator's department shall be responsible for implementing this chapter, the CTR plan, and the city's CTR program.

(Ord. 2546 § 1 (part), 2007; Ord. 2121 § 3, 1998)

9.52.040 - Applicability.

The provisions of this chapter shall apply to any affected employer at any single worksite within the corporate limits of the city.

(a) Notification of Applicability.

- (1) In addition to Union Gap City's established public notification for adoption of an ordinance, a notice of availability of a summary of the ordinance codified in this chapter, a notice of the requirements and criteria for affected employers to comply with said ordinance, and subsequent revisions shall be published at least once in the city's official newspaper not more than thirty days after passage of said ordinance or revisions.
- (2) Affected employers located in the city are to receive notification that they are subject to this chapter. Such notice shall be addressed to the company's chief executive officer, senior official or CTR manager at the worksite. Such notification shall be at least one hundred eighty days prior to their due date for submittal of their CTR program.
- (3) Affected employers that, for whatever reason, do not receive notice within thirty days of passage of said ordinance and are either notified or identify themselves to the city within one hundred eighty days of the passage of said ordinance will be granted an extension to assure up to one hundred eighty days within which to develop and submit a CTR program.
- (4) Affected employers that have not been identified or do not identify themselves within one hundred eighty days of the passage of said ordinance and do not submit a CTR program within one hundred eighty days from the passage of said ordinance are in violation of this chapter.

(b) Newly Affected Employers. Employers that meet the definition of "affected employer" in this chapter must identify themselves to the city within one hundred eighty days of either moving into the boundaries of Union Gap or growing in employment at a worksite to one hundred or more affected employees.

Such employers shall be given one hundred eighty days to develop and submit a CTR

program. Employers that do not identify themselves in one hundred eighty days are in violation of this chapter. Newly affected employers shall have two years to meet the first CTR goal of a fifteen percent reduction in proportion of single occupant vehicle trips or vehicle trips or vehicles miles traveled per person; four years to meet the second goal of a twenty percent reduction; six years to meet the third goal of a twenty-five percent reduction, and twelve years to meet the fourth goal of thirty-five percent reduction, from the time they begin their program. Newly affected employers are required to conduct a baseline survey of employee commuting or provide approved equivalent information within twelve months of attaining affected employer status.

- (c) **Change in Status as an Affected Employer.** Any of the following changes in an employer's status will change the employer's CTR program requirements:
- (1) If an employer initially designated as an affected employer no longer employs one hundred or more affected employees and expects not to employ one hundred or more affected employees for the next twelve months, that employer is no longer an affected major employer. It is the responsibility of the employer to notify the city that it is no longer an affected employer.
 - (2) If the same employer returns to the level of one hundred or more affected employees within the same twelve months, that employer will be considered an affected employer for the entire twelve months and will be subject to the same program requirements as other affected employers.
 - (3) If the same employer returns to the level of one hundred or more affected employees twelve or more months after its change in status to an "unaffected" employer, that employer shall be treated as a new affected employer, and will be subject to the same program requirements as other new affected employers.

(Ord. 2121 § 4, 1998)

9.52.050 - Requirements for employers.

An affected employer is required to make a good faith effort, as defined in RCW 70.94.534(2) and this chapter, to develop and implement a CTR program that will encourage its employees to reduce VMT per employee and SOV commute trips. The employer shall submit a description of its program to city and provide an annual progress report to city on employee commuting and progress toward meeting the SOV goals. The CTR program must include the mandatory elements as described below.

- (a) **CTR Program Description Requirements.** The CTR program description presents the strategies to be undertaken by an employer to achieve the trip reduction goals for each goal year. Employers are encouraged to consider innovative strategies and combine program elements in a manner that will best suit their location, site characteristics, business type, and employees' commuting needs. Employers are further encouraged to cooperate with each other and to form or use transportation management organizations in developing and implementing CTR programs. At a minimum, the employer's description must include:
- (1) General description of the employment site location, transportation characteristics, and surrounding services, including unique conditions experienced by the employer or its employees;
 - (2) Number of employees affected by the CTR program;
 - (3) Documentation of compliance with the mandatory CTR program elements (as described in subsection (b) of this section);

- (4) Description of the additional elements included in the CTR program (as described in subsection (b) of this section); and
 - (5) Schedule of implementation, assignment of responsibilities, and commitment to provide appropriate resources.
- (b) Program Goals. The goals for vehicle miles traveled per employee and proportion of single occupant vehicle trips for all employees shall be a fifteen percent reduction from the worksite base year value or the base year value for the commute trip reduction zone in which the work site is located by January 1, 1995; a twenty percent reduction by January 1, 1997; a twenty-five percent reduction by January 1, 1999; and a thirty-five percent reduction by January 1, 2005.
- (c) Mandatory Program Elements. Each employer's CTR program shall include the following mandatory elements:
 - (1) Transportation Coordinator. The employer shall designate a transportation coordinator to administer the CTR program. The coordinator's and/or designee's name, location, and telephone number must be displayed prominently at each affected worksite. The coordinator should oversee all elements of the employer's CTR program and act as liaison between the employer and city. The objective is to have an effective transportation coordinator presence at each worksite; an affected employer with multiple sites may have one transportation coordinator for all sites.
 - (2) Information Distribution. Information about alternatives to SOV commuting shall be provided to employees at least once a year. Each employer's program description and annual report must report the information to be distributed and the method of distribution.
 - (3) Annual Progress Report. The CTR program must include an annual review of employee commuting and progress and good faith efforts toward meeting the SOV reduction goals. Affected employers shall file an annual progress report with the city in accordance with the format established by this chapter and consistent with the CTR task force guidelines. The report shall describe each of the CTR measures that were in effect for the previous year, the results of any commuter surveys undertaken during the year, and the number of employees participating in CTR programs. Within the report, the employer should evaluate the effectiveness of the CTR program and, if necessary, propose modifications to achieve the CTR goals. Survey information or approved alternative information must be provided in the reports submitted in the second, fourth, sixth, eighth, tenth, and twelfth years after implementation begins. The employer should contact the city for the format of the report.
 - (4) Additional Program Elements. In addition to the specific program elements described above, the employer's CTR program shall include additional elements as needed to meet CTR goals. Elements may include, but are not limited to, one or more of the following:
 - (A) Provision of preferential parking or reduced parking charges, or both, for high-occupancy vehicles;
 - (B) Instituting or increasing parking charges for SOVs;
 - (C) Provision of commuter ride matching services to facilitate employee ride-sharing for commute trips;
 - (D) Provision of subsidies for transit fares;
 - (E) Provision of vans for vanpools;
 - (F)

- Provision of subsidies for carpools or vanpools;
- (G) Permitting the use of the employer's vehicles for carpooling or vanpooling;
- (H) Permitting flexible work schedules to facilitate employees' use of transit, carpools, or vanpools;
- (I) Cooperation with transportation providers to provide additional regular or express service to the worksite;
- (J) Construction of special loading and unloading facilities for transit, carpool and vanpool users;
- (K) Provision of bicycle parking facilities, lockers, changing areas, and showers for employees who bicycle or walk to work;
- (L) Provision of a program of parking incentives such as a rebate for employees who do not use the parking facilities;
- (M) Establishment of a program to permit employees to work part or full-time at home or at an alternative worksite closer to their homes;
- (N) Establishment of a program of alternative work schedules such as a compressed work week which reduces commuting; and
- (O) Implementation of other measures designed to facilitate the use of high-occupancy vehicles, such as on-site day care facilities and emergency taxi services.

(Ord. 2121 § 5, 1998)

9.52.060 - Record keeping.

Affected employers shall include a list of the record they will keep as part of the CTR program they submit to city for approval. Employers will maintain all records listed in their CTR program for a minimum of twenty-four months. The city and the employer shall agree on the record keeping requirements as part of the accepted CTR program.

(Ord. 2121 § 6, 1998)

9.52.070 - Schedule and process for CTR reports.

- (a) CTR Program. Not more than one hundred eighty days after the adoption of the ordinance codified in this chapter, or within six months after an employer qualifies under the provisions of said ordinance, employer shall develop a CTR program and shall submit to the city a description of that program for review.
- (b) Document Review. The city shall provide the employer with written notification if a CTR program is deemed unacceptable. The notification must give cause for any rejection. If the employer receives no written notification of extension of the review period for its CTR program or comment on the CTR program or annual report within ninety days of submission, the employer's program or annual report is deemed accepted. The city may extend the review period up to ninety days. The implementation date for the employer's CTR program will be extended an equivalent number of days.
- (c) CTR Annual Progress Reports. Upon review of an employer's initial CTR program, the city shall establish the employer's annual reporting date, which shall not be less than twelve months from the day the program is submitted. Each year on the employer's reporting date, the employer shall submit to the city its annual CTR report.
- (d) Modification of CTR Program Elements. Any affected employer may submit a request to the city for modification of CTR program elements, other than the mandatory elements specified in this

chapter, including record keeping requirements. Such request may be granted if one of the following conditions exist:

- (1) The employer can demonstrate it would be unable to comply with the CTR program elements for reasons beyond the control of the employer; or
 - (2) The employer can demonstrate that compliance with the program elements would constitute an undue hardship.
- (e) Extensions. An employer may request additional time to submit a CTR program or CTR annual progress report, or to implement or modify a program. Such requests shall be via written notice at least thirty days before the due date for which the extension is being requested. Extensions not to exceed ninety days shall be considered for reasonable causes. The city shall grant or deny the employer's extension request by written notice within ten working days of its receipt of the extension request. If there is no response issued to the employer, an extension is automatically granted for thirty days. Extensions shall not exempt an employer from any responsibility in meeting program goals. Extensions granted due to delays or difficulties with any program element(s) shall not be cause for discontinuing or failing to implement other program elements. An employer's annual reporting date shall not be adjusted permanently as a result of these extensions. An employer's annual reporting date may be extended at the discretion of the city administrator.
- (f) Implementation of Employer's CTR Program. Unless extensions are granted, the employer shall implement its approved CTR program not more than one hundred eighty (180) days after the program was first submitted to the city. Implementation of the approved program modifications shall begin within thirty (30) days of the final decision or one hundred eighty (180) days from submission of the CTR program or CTR annual report, whichever is greater.

(Ord. 2546 § 1 (part), 2007; Ord. 2121 § 7, 1998)

9.52.080 - Credit for transportation demand management efforts.

- (a) Leadership Certificate. As public recognition for their efforts, employers with VMT per employee and proportion of SOV trips lower than the zone average will receive a commute trip reduction certificate of leadership from the city.
- (b) Credit for Programs Implemented Prior to the Base Year. Employers with successful TDM programs implemented prior to the base year may be eligible to apply for program exemption credit, which exempts them from most program requirements. Affected employers wishing to receive credit for the results of existing TDM efforts may do so by applying to the city within ninety days of the adoption of the ordinance codified in this chapter. Application shall include data from a survey of employees or equivalent to establish the applicant's VMT per employee and proportion of SOV trips. The survey or equivalent data shall conform to all applicable standards established in the CTR task force guidelines. The employer shall be considered to have met the first measurement goals if their VMT per employee and proportion of SOV trips are equivalent to a twelve percent or greater reduction from the final base year. CTR zone SOV trips are equivalent to twelve percent or greater reduction from the final base year CTR zone values. This three percentage point credit applies only to the first measurement goals.
- (c) Program Exemption Credit. Affected employers may apply for program exemption credit for the results of past or current TDM efforts by applying to the city within ninety days of adoption of the applicable CTR ordinance, or as part of any annual report. Application shall include results from a survey of employees, or equivalent information that establishes the applicant's VMT per employee and proportion of SOV trips. The survey or equivalent information shall conform to all applicable standards established in the CTR task force guidelines.

Employers that apply for credit and whose VMT per employee and proportion of SOV trips are equal to or less than goals for one or more future goal years, and commit in writing to continue their

current level of effort, shall be exempt from the requirements of said ordinance except for the requirements to report performance in the measurement years (Section [9.52.050](#) of this chapter). If any of these reports indicate the employer does not satisfy the next applicable goal(s), the employer shall immediately become subject to all requirements of the CTR ordinance.

(Ord. 2121 § 8, 1998)

9.52.090 - Enforcement.

- (a) **Compliance.** For purposes of this section, compliance shall mean fully implementing in good faith all provisions in an approved CTR program.
- (b) **Program Modification Criteria.** The following criteria for achieving goals for VMT per employee and proportion of SOV trips shall be applied in determining requirements for employer CTR program modifications:
 - (1) If an employer makes a good faith effort as defined in RCW 70.94.534(b) and this chapter, and meets either or both the goal for vehicle miles traveled per employee or single occupant vehicle rate, the employer has satisfied the objectives of this chapter and will not be required to modify its CTR program;
 - (2) If an employer makes good effort, as defined in RCW 70.94.534(2) and this chapter, but has not met or is not likely to meet the applicable SOV or VMT goal, the city shall work collaboratively with the employer to make modifications to its CTR program. After agreeing on modifications, the employer shall submit a revised CTR program description to the city for approval within thirty days of reaching agreement.
 - (3) If an employer fails to make a good faith effort as defined in RCW 70.94.534(2) and this chapter, and fails to meet the applicable SOV or VMT reduction, the city shall work collaboratively with the employer to identify modifications to the CTR program and shall direct the employer to revise its program within thirty days to incorporate the modifications. In response to the recommended modifications, the employer shall submit a revised CTR program description, including the requested modifications or equivalent measures, within thirty days of receiving written notice to revise its program. The city shall review the revisions and notify the employer of acceptance or rejection of the revised program. If a revised program is not accepted, the city will send written notice to that effect to the employer within thirty days and, if necessary, require the employer to attend a conference with program review staff for the purpose of reaching a consensus on the required program. A final decision on the required program will be issued in writing by the city within ten working days of the conference.
- (c) **Violations.** The following constitute violations if the deadlines established in this chapter are not met:
 - (1) Failure to develop and/or submit on time a complete CTR program, including:
 - (A) Employers notified or that have identified themselves to the city within one hundred eighty days of said ordinance being adopted and that do not submit a CTR program within one hundred eighty days from the notification or self-identification; and
 - (B) Employers not identified or self-identified within one hundred eighty days of said ordinance being adopted and that do not submit or implement a CTR program within one hundred eighty days from the adoption of said ordinance;
 - (2) Failure to implement an approved CTR program, unless the program elements that are carried out can be shown through quantifiable evidence to meet or exceed VMT and SOV goals as specified in said ordinance;
 - (3)

- Failure to make a good faith effort, as defined in RCW 70.94.534(2) and this chapter;
- (4) Failure to revise a CTR program as directed by the city; or
- (5) Submission of fraudulent, false or bogus information, data and/or survey results.
- (d) Penalties.
 - (1) No affected employer with an approved CTR program which has made a good faith effort as defined in RCW 70.94.534(2) and this chapter, may be held liable for failure to reach the applicable SOV or VMT goal;
 - (2) Each day of failure to implement the program shall constitute a separate violation, subject to penalties as described in RCW 7.80.
 - (3) An affected employer shall not be liable for civil penalties if failure to implement an element of a CTR program was the result of an inability to reach agreement with a certified collective bargaining agent under applicable laws where the issue was raised by the employer and pursued in good faith. Unionized employers shall be presumed to act in good faith compliance if they:
 - (A) Propose 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
 - (B) Advise the union of the existence of the statute and the mandates of the CTR program approved by city and advise the union that the proposal being made is necessary for compliance with state law.

(Ord. 2121 § 9, 1998)

9.52.100 - Exemptions or goal modifications.

- (a) **Worksite Exemptions.** An affected employer may request city to grant an exemption from all CTR program requirements or penalties for a particular worksite. The employer must demonstrate that it would experience undue hardship in complying with the requirements of this chapter as a result of the characteristics of its business, its work force, or its location(s). An exemption may be granted if and only if the affected employer demonstrates that it faces extraordinary circumstances, such as bankruptcy, and is unable to implement any measures that could reduce the proportion of SOV trips and VMT per employee. Exemptions may be granted by city at any time based on written notice provided by the affected employer. The notice should clearly explain the conditions for which the affected employer is seeking an exemption from the requirements of the CTR program. City shall review annually all employers receiving exemptions, and shall determine whether the waiver will be in effect during the following program year.
- (b) **Employee Exemptions.** Specific employees or groups of employees who are required to drive alone to work as a condition of employment may be exempted from a worksite's CTR program. Exemptions may also be granted for employees who work variable shifts throughout the year and who do not rotate as a group to identical shifts. The city will use the criteria identified in the CTR task force guidelines to assess the validity of employee exemption requests. The City shall review annually all employee exemption requests, and shall determine whether the exemption will be in effect during the following program year.
- (c) **Modification of CTR Goals.** (1) An affected employer may request that the city modify its CTR program goals. Such requests shall be filed in writing at least sixty days prior to the date the worksite is required to submit its program description or annual report. The goal modification request must clearly explain why the worksite is unable to achieve the applicable goal. The worksite must also demonstrate that it has implemented all of the elements contained in its approved CTR program. (2) The city will review and grant or deny requests for goal modifications in accordance with procedures and criteria identified in CTR task force

guidelines. (3) An employer may not request a modification of the applicable goals until one year after city approval of its initial program description or annual report.

(Ord. 2121 § 10, 1998)

9.52.110 - Appeals.

Any major employer may appeal administrative decisions regarding exemptions, modification of goals, CTR program elements, and violations to the Union Gap city administrator by filing a written notice of appeal with the city clerk. The notice of appeal shall identify the appellant, describe the issue or subject of the appeal and describe the remedy sought. The notice of appeal must be filed within fifteen business days of the administrative decision. The city administrator will evaluate the appeal by determining if the city's decisions were consistent with CTR law and guidelines. Appeals may be granted if the employer can show the violations for which the penalties were imposed occurred for reasons beyond the employer's control, or the city directed the employer to incorporate in its CTR program are unlikely to reduce the proportion of single occupant vehicles or vehicle miles traveled per employee. The decision of the city administrator shall be final and conclusive, subject only to appeal to the Yakima County Superior Court as set forth in UGMC Section 2.04.020 for transportation demand management efforts.

(Ord. 2546 § 1 (part), 2007; Ord. 2121 § 11, 1998)