

Title 10

VEHICLES AND TRAFFIC

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- 10.12 Arterial Streets
- 10.16 Stopping, Standing and Parking
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Chapter 10.04

SPEED LIMITS

Sections:

- 10.04.010 Designation--Authority.
- 10.04.020 Radar enforcement.
- 10.04.030 Increase limits.

10.04.010 Designation--Authority.

The council may establish and designate by ordinance an increase or decrease of local speed limits pursuant to Vehicle Code Sections 22357 and 22358. (Prior code β 4-5.401)

10.04.020 Radar enforcement.

Radar may be utilized to enforce speed limits on roadways within city boundaries when a prima facie speed limit is justified by an engineering and traffic survey pursuant to the Vehicle Code. (Prior code β 4-5.402)

10.04.030 Increase limits.

Pursuant to a traffic and engineering survey, the posted speed on the following streets will be raised from thirty-five (35) mph to forty (40) mph:

A. South Auburn Street between Placer Hills Road and a point 0.25 miles south of State Route 174.

B. South Canyon Way between a point 0.15 miles south of Placer Hills Road to a point 0.10 miles north of Seims Avenue. (Prior code β 4-5.403)

Chapter 10.08

ONE-WAY STREETS

Sections:

10.08.010 Council--Designation.

10.08.020 Signs and markings.

10.08.010 Council--Designation.

The city council may establish and designate by resolution public roads or highways upon which travel may only occur in only one direction. (Prior code β 4-8.101)

10.08.020 Signs and markings.

Whenever any resolution of the city designates an area for one-way travel, the director of public works shall erect signs and mark those portions of the street designated for one-way travel. (Prior code β 4-8.102)

Chapter 10.12

ARTERIAL STREETS

Sections:

10.12.010 Designation--Authority.

10.12.020 Stop signs--Installation and maintenance.

10.12.030 Stop signs--Obedience.

10.12.010 Designation--Authority.

The council, when deemed necessary and convenient for improving traffic and avoiding accidents, may establish and designate by resolution arterial streets and may designate and declare by resolution any intersection as a stop intersection and authorize stop signs to be posted at one or more entrances thereto. (Prior code β 4-5.101)

10.12.020 Stop signs--Installation and maintenance.

Whenever any resolution of the city designates and describes any street or portion thereof, as an arterial street or any intersection at which vehicles are required to stop at one or more entrances thereto, the director of public works shall erect and maintain stop signs on each and every street intersecting such arterial street or portion thereof or stop intersection so designated. Every such sign shall conform with and be placed as provided in the Vehicle Code of the state. (Prior code β 4-5.102)

10.12.030 Stop signs--Obedience.

Every operator of a vehicle traversing any street or alley intersecting any arterial street shall stop such vehicle at the place where such street or alley

meets the nearest property line of the arterial street before entering such arterial street provided the property line is clearly marked or signposted as required by the provisions of this title. Every operator of a vehicle approaching a stop intersection where a stop sign is erected at the entrance to the cross street shall come to a full stop before entering or crossing such street. (Prior code β 4-5.103)

Chapter 10.16

STOPPING, STANDING AND PARKING

Sections:

- 10.16.010 Finding.
- 10.16.020 Authority.
- 10.16.030 Enforcement--Designation.
- 10.16.040 Signs and markings.
- 10.16.050 Obedience to signs and markings.
- 10.16.060 Twenty-minute parking.
- 10.16.070 Two-hour parking.
- 10.16.080 Prohibited parking.
- 10.16.090 Storage of vehicles on streets.
- 10.16.100 Removal of over-parked vehicles.
- 10.16.110 Approval of Department of Public Works of the state.
- 10.16.120 Withdrawal of approval of Department of Public Works of the state.
- 10.16.130 Administrative review.
- 10.16.140 Appeal.
- 10.16.150 Parking violation bail schedule.

10.16.010 Finding.

The city council finds establishing parking regulations, violations, offense and administration, appeal process, parking violation bail schedule and establishing fines for such violations a necessity for the health, safety and welfare of the community. (Ord. 469 β 1, 2000)

10.16.020 Authority.

The city establishes regulations, violations, methods of administration and appeals pursuant to California Government Codes. (Ord. 469 β 2, 2000)

10.16.030 Enforcement--Designation.

The city establishes the Placer County sheriff's department under contract to serve as local law enforcement to the city. The Placer County sheriff's office assigns a supervising deputy(s) and designates that person(s) to the city. (Ord. 469 β 3 (part), 2000: prior code β 4-5.201)

10.16.040 Signs and markings.

The city may designate areas for diagonal, parallel, right angle, limited or prohibited parking. The director of public works shall erect signs and mark those portions of the streets and curbs designated for such parking. (Ord. 469 B 3 (part), 2000: prior code B 4-5.202)

10.16.050 Obedience to signs and markings.

When curb markings or signs are in place, no operator of any vehicle shall stop, stand or park such vehicle adjacent to any such legible curb marking or sign in violation of the provisions of this chapter. Vehicles shall be parked so that no part of the vehicle extends over or across any mark or line designating the parking space. (Ord. 469 B 3 (part), 2000: prior code B 4-5.203)

10.16.060 Twenty-minute parking.

The following areas of the city shall be limited to twenty (20) consecutive minutes of parking time per vehicle between the hours of eight a.m. and six p.m. on every day of the week except Sundays and holidays:

- A. One diagonal parking place directly in front of 33 Depot Street;
 - B. One diagonal parking place directly in front of 46 North Main Street.
- (Ord. 469 B 3 (part), 2000: prior code B 4-5.204)

10.16.070 Two-hour parking.

The following areas of the city shall be limited to two consecutive hours of parking time per vehicle between the hours of eight a.m. and six p.m. on every day of the week, except Saturdays, Sundays and holidays:

- A. The west side of Main Street between Church Street and Depot Street;
 - B. The north and south sides of Grass Valley Street from Main Street to the first designated alleyway;
 - C. The south side of Depot Street between Main Street and the first designated alleyway; and
 - D. Both sides of Auburn Avenue between Central Street and Oak Street.
- (Ord. 469 B 3 (part), 2000: prior code B 4-5.205)

10.16.080 Prohibited parking.

The following areas of the city shall be designated as no parking areas:

- A. Foresthill Street between Oak Street and Central Street, except to load or unload;
- B. South Auburn Street and Placer Hills Road beginning at the Canyon Way over crossing sign which reads S. Auburn Street and Placer Hills Road and extending along both sides of S. Auburn Street northward four hundred fifty (450) feet. (Ord. 469 B 3 (part), 2000: prior code B 4-5.206)

10.16.090 Storage of vehicles on streets.

A. Person(s) who own or have the possession, custody or control of any commercial or recreation vehicle may not park such vehicle(s) on any street or alley in the city in excess of seventy-two (72) consecutive hours.

B. Commercial or recreation vehicle(s) for the purpose of this chapter are those vehicles recognized and subject to registration as recreation or commercial vehicles under the California Vehicle Code. They are described herein

as commercial vehicles with three or more axles, commercial vehicles over twenty-five (25) feet in length, any motor home or truck and trailer combination to include boat trailers (with or without vessel), any box style or flatbed trailer used for commercial purposes, any truck or trailer commonly rented by private parties for the purposes of moving items. Such vehicles are subject to towing for violation of this section. (Ord. 469 § 3 (part), 2000: prior code § 4-5.207)

10.16.100 Removal of over-parked vehicles.

In the event any motor or recreation vehicle is parked or left standing upon a street or alley in violation of the provisions of this chapter, such motor or recreation vehicle may be removed from the street or alley and stored subject to the requirements of the Vehicle Code of the state. (Ord. 469 § 3 (part), 2000: prior code § 4-5.209)

10.16.110 Approval of Department of Public Works of the state.

Whenever the provisions of this chapter delegate authority to the director of public works to regulate parking upon a state highway in any way which by state law requires the prior approval of the Department of Public Works of the state, the director of public works shall not exercise such authority with respect to any state highway without prior approval in writing by the Department of Public Works of the state when and to the extent required by the Vehicle Code of the state. (Ord. 469 § 3 (part), 2000: prior code § 4-5.210)

10.16.120 Withdrawal of approval of Department of Public Works of the state.

Any provision of this chapter which regulates parking or delegates the regulation of parking upon state highways in any way for which the approval of the Department of Public Works of the state is required by state law shall cease to be operative six months after the receipt by the council of a written notice of the withdrawal of such approval by the Department of Public Works of the state. (Ord. 469 § 3 (part), 2000: prior code § 4-5.211)

10.16.130 Administrative review.

A. The city adopts Placer County Code Sections 16.865 through 16.690 establishing administration, process, procedure and enforcement of parking violation citations by reference.

B. Pursuant to the Vehicle Code Section 402.007, for a period of twenty-one (21) days from the issuance of a notice of parking violation or ten (10) days from the mailing of a notice of delinquent parking violation, a person shall submit parking violation citation fees to the parking administrator as designated by Placer County. The hearing officer shall determine guilty or not guilty. (Ord. 469 § 3 (part), 2000: prior code § 4-5.212)

10.16.140 Appeal.

Pursuant to the Vehicle Code Section 402.30, within twenty (20) days after the mailing of the final decision by the Placer County parking administrator hearing officer, the person may seek review by filing an appeal with the Placer

County municipal court. All citations fines must be paid prior to filing an appeal. (Ord. 469 § 3 (part), 2000: prior code § 4-5.213)

10.16.150 Parking violation bail schedule.

Any violation of this chapter and any violation of the Vehicle Code sections set forth in the bail schedule of Placer County adopted by reference shall be an infraction and shall be punishable by fine(s) set forth in Chapter 10.36 of this title. Fine(s) may be revised and amended by resolution of the city council from time to time as necessary and consistent with the adopted Placer County fines. (Ord. 469 § 3 (part), 2000: prior code § 4-5.214)

Chapter 10.20

OVERWEIGHT AND OVERSIZE VEHICLE LOADS

Sections:

- 10.20.010 Findings.
- 10.20.020 Authority.
- 10.20.030 Purpose and intent.
- 10.20.040 Streets identified.
- 10.20.050 Fee.
- 10.20.060 Vehicle load limits.
- 10.20.070 Procedure and permit.
- 10.20.080 Liability.

10.20.010 Findings.

The city council finds establishing a permit(s), fee(s) and process procedure for overweight and oversize vehicles and equipment in the city a necessity for health, safety and welfare of the community. (Ord. 463 § 1, 2000)

10.20.020 Authority.

The transportation of oversize and overweight vehicle loads is established pursuant to California Government Code, Section 35783 and any amendments thereto. The city council establishes this chapter to require transportation permits. (Ord. 463 § 2, 2000)

10.20.030 Purpose and intent.

The purpose and intent of the establishment of a permit fee and procedure is to protect city streets from unnecessary degradation and to protect the health, safety and welfare of the community. (Ord. 463 § 3, 2000)

10.20.040 Streets identified.

Auburn Street, Grass Valley Street, Rising Sun, Canyon Way, East Oak Street, Central Street and Main Street within the city are identified for overweight and maneuvering of oversize vehicles. Permits for State Route 174 and

Interstate 80 within the city are processed through the State of California Department of Transportation. Oversize and overweight vehicles and equipment are prohibited on all other streets in the city. (Ord. 463 B 4, 2000)

10.20.050 Fee.

The city council of the city establishes an annual permit fee for transporting on designated streets overweight vehicle(s) or oversize vehicle(s) loads per single trip fee of twelve dollars (\$12.00), a round-trip fee twenty-four dollars (\$24.00) and an annual fee of ninety dollars (\$90.00). The council may from time to time increase the permit fee by resolution. However, pursuant to the Public Resources Code of the state the fee may not exceed that most current fee established by the California State Department of Transportation. (Ord. 463 B 5, 2000)

10.20.060 Vehicle load limits.

Any weights that exceed the legal weight chart in the California Vehicle Code Section 35783 are non-adjustable. Any load that requires Cal-Trans and/or Placer County permit(s) must obtain a city permit. (Ord. 463 B 6, 2000)

10.20.070 Procedure and permit.

The permittee and the city agree to the following:

A. Permittee of overweight or oversize loads in excess of Section 10.20.060 of this chapter shall contact the city and shall complete the transportation permit form (Exhibit A attached to the ordinance codified in this chapter) and pay fees prior to commencement of transporting.

B. The city will then issue the permittee a load number. The driver of the transport shall comply with the California Vehicle Code Section 35783.

C. In accepting this permit, the permittee agrees to repair at his or her own expense and to the satisfaction of the director of public works and/or city engineer, any damage to street(s), street appurtenances or structures. Notwithstanding work/repair completed by public works forces at the option of the city manager, the cost to be borne by the permittee.

D. In the event of damage to city streets, traffic signs, light standards and other appurtenances, a written report must be filed with the public works department within seventy-two (72) hours after such damage has been done. Failure to make this report will be considered cause for cancellation of all permit privileges pending satisfactory arrangement with the city for repair or replacement of the damage.

E. Permittee shall have the sole responsibility to and shall provide that transports clear all telephone, electrical, cable TV and other utility lines prior to transport. Permittee shall have the sole responsibility to and shall contact the utilities involved if clearance will not be made and to take appropriate mitigation measures.

F. Permittee shall have the sole responsibility to and shall make financial restitution to any and all utility companies which may have had their facilities damaged by the transport. (Ord. 463 B 7, 2000)

10.20.080 Liability.

The permittee agrees to the following:

A. The permittee is responsible for all liability for injury to or death or any person or damage to property which may occur through any act or omission of either the permittee or the city arising from the issuance of this permit.

B. In the event any claim, suit or action is brought against the city, its officers, employees or agents thereof by reason of or in connection with any such act or omission, permittee shall defend, indemnify and hold harmless the city, its officers, employees or agents from such claim, suit or action. (Ord. 463 B 8, 2000)

Chapter 10.24

BICYCLES AND SKATEBOARDS

Article I

Bicycles

Sections:

10.24.010 Operation on sidewalks--Prohibited.

10.24.020 Violation--Penalty.

Article II

Skateboards

Sections:

10.24.030 Purpose.

10.24.040 Definitions.

10.24.050 Prohibition in central business district.

10.24.060 Sidewalk prohibition.

10.24.070 Skateboards prohibited--Specific locations.

10.24.080 Right-of-way.

10.24.090 General prohibitions and restrictions.

10.24.100 Designation of additional prohibited areas.

10.24.110 Violation--Penalty.

Article I

Bicycles

10.24.010 Operation on sidewalks--Prohibited.

It is unlawful for any person to ride a bicycle on the sidewalks of the city. (Prior code B 4-1.01)

10.24.020 Violation--Penalty.

Any person violating the provisions of this article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine not exceeding five dollars (\$5.00). (Prior code B 4-1.02)

Article II
Skateboards

10.24.030 Purpose.

A. Pursuant to California Vehicle Code Section 21967, this article prohibits or regulates skateboarding on and along public pedestrian walks, bridges, buildings, parking facilities and streets; and on and along privately owned roadways and parking areas associated with shopping centers. The city council finds that the practice of skateboarding, which is increasing, within and upon pedestrian walks and malls and privately owned roadways and parking areas at shopping centers creates physical hazards to pedestrians and motorists using such walkways and roadways in that skateboards can be and often are, operated at speeds greatly in excess of normal pedestrian travel and can be and often are, traffic hazards; that the direction of travel of skateboards can be changed and reversed extremely quickly by the operator and without warning to nearby pedestrians and motorists; that total operational control of a skateboard is very rarely, if ever, achieved; that a person operating a skateboard can become easily hidden behind pedestrians and motorists and thus temporarily remain unseen to other nearby pedestrians and motorists; and that the noise emanating from the operation of a skateboard alarms many pedestrians and motorists, particularly when the location of the skateboard is nearby, but not immediately apparent. The city council further finds that mistakes made by the operator of a skateboard, which are frequent, commonly result in the skateboard flying off in an uncontrolled fashion in one direction, thus endangering any persons or motorists nearby, with the rider falling in an uncontrolled manner in another direction, also endangering those nearby and that the noise emanating from the nearby operation of a skateboard on shopping center walkways, privately owned roadways and parking areas is, for these and other reasons, annoying and worrisome to a substantial portion, if not the vast majority, of pedestrians using such walkways and motorists using such privately owned roadways and parking areas. (Ord. 404 § 2 (part), 1993: prior code § 4-6.01)

10.24.040 Definitions.

As used in this chapter:

"Skateboard" means a mechanism having two or more sets of wheels, often resembling wheels on rollerskates, which are fastened to a platform, commonly constructed to accommodate a standing person. Skateboards are normally propelled by the operator pushing off the ground with one foot or by the force of gravity.

"Shopping center" means the privately owned real property upon which a business-commercial development is situated, which development is open to the general public and primarily devoted to retail sales and services from shops and stores situated therein, although it may also contain some offices and eating places, as well as other accessory uses compatible in the retail-sales shopping area. (Ord. 404 § 2 (part), 1993: prior code § 4-6.02 (part))

10.24.050 Prohibition in central business district.

A. It is unlawful for any person upon rollerskates, rollerblades or riding on or by means of a coaster, skateboard or similar device to go upon any

roadway, sidewalk, bridge or publicly owned building or parking facility in the central business district.

B. The central business district, for purposes of this article, is defined as that area of the city bounded by and including: (1) Main Street from the intersection of School Street to the intersection of Quinn's Lane and including the alley lying west of and parallel to Main Street from its intersection at Church Street to its intersection at Depot Street; (2) Auburn Street from its intersection with Main Street to its intersection with Whitcomb Avenue. Such district shall include the roadway and sidewalks on both sides of all boundary streets. (Ord. 404 § 2 (part), 1993: prior code § 4-6.03 (part))

10.24.060 Sidewalk prohibition.

It is unlawful for any person upon rollerskates, roller blades or riding on or by means of a coaster, skateboard or similar device to go upon any sidewalk or other area devoted to pedestrian traffic within the city. This prohibition shall not be construed to include bicycle lanes and routes so marked outside of otherwise prohibited areas. (Ord. 404 § 2 (part), 1993: prior code § 4-6.04)

10.24.070 Skateboards prohibited--Specific locations.

A. No person shall use or operate a skateboard within any shopping center, apartment parking lot or within twenty (20) feet of the entrance of any shop, store or commercial building which has been posted by the owner or manager with a sign, as described below. The posting of these signs is voluntary on the part of any such property manager or owner.

1. For shopping centers, signs shall be posted on the property of the shopping center, along each exterior entrance of the shopping center, in plain view of pedestrians and motor vehicle operators entering the center at such entrances. Additional signs, as described below, may be posted within the interiors of the shopping center. These signs shall be maintained by the management of the shopping center.

2. Each such sign shall state "SKATEBOARDING PROHIBITED" and underneath, "City of Colfax Municipal Code Section 10.24.070." The signs shall be not less than one square foot in area and will have letters not less than two inches in height.

3. Managers and owners of private property desiring to post their property shall deliver written notification of such posting to the chief of police not less than twenty-four (24) hours prior to posting the signs.

4. Any manager or owner may withdraw from the provisions of this chapter by notifying the chief of police, in writing, of such withdrawal and removing the required signs.

B. It is unlawful for any person to ride or propel any skateboard in the following places:

1. On both sides of Main Street between Church Street and Depot Street;
2. On both sides of Church Street, Grass Valley Street and Depot Street from Main Street to Culver Street and Culver Street between Church Street and West Grass Valley Street;
3. On both sides of Auburn Street;

4. On the front sidewalks in front of the House of Standlock, the Liquor Store and the Beacon, Chevron and Tom's Sierra Service Stations on the Freeway Frontage Road; and

5. On the paved walkway in the Lions Club Park.

C. The city council may designate additional places where skateboarding is prohibited by resolution; the director of public works shall post or erect or cause to be posted or erected signs prohibiting skateboarding in such places. (Amended during 2004 codification; Ord. 432 B 1, 1995: Ord. 404 B 2 (part), 1993: prior code B 4-6.02 (part), 4-6.05)

10.24.080 Right-of-way.

Persons upon roller skates, roller blades or riding by means of a coaster, skateboard or similar device shall yield the right-of-way to all motor vehicles, bicycles and pedestrians. (Ord. 404 B 2 (part), 1993: prior code B 4-6.06)

10.24.090 General prohibitions and restrictions.

A. No person on roller skates, roller blades or riding on or by means of a coaster, skateboard or similar device shall attach the same or himself or herself to any vehicle or allow himself or herself to be towed by the use of any mechanical device.

B. No person shall use or operate a skateboard more than thirty (30) minutes after sunset or more than thirty (30) minutes prior to sunrise.

C. No person shall use or operate a skateboard on any public or private street, alley or right-of-way or on any property owned, used or operated by the city in a manner which endangers the safety of any other person or property.

D. Skateboards shall only be used or operated on public property while the user is in the standing, upright position.

E. The use of ramps, jumps or any other device on public property which is used to force the skateboard off of the pavement is prohibited. (Ord. 404 B 2 (part), 1993: prior code B 4-6.07)

10.24.100 Designation of additional prohibited areas.

The city council may, from time to time, designate additional publicly owned buildings, property or facilities or additional private property as areas upon which it is unlawful for any person to skate, use or ride any skateboard or similar device. Such areas shall be designated by resolution of the city council and shall be posted at the entrance of the property with a sign as described below.

A. Each such sign shall state "SKATEBOARDING PROHIBITED" and underneath, "Colfax Municipal Code Section 10.24.100." The letters of the prohibition shall be two inches in height and shall be printed in black with a white background. The citation of the Colfax Municipal Code shall be printed in black in letters one inch in height at the bottom and right side of the sign. The sign shall not exceed two hundred eighty (280) square inches in area. (Amended during 2004 codification; Ord. 404 B 2 (part), 1993: prior code B 4-6.08)

10.24.110 Violation--Penalty.

A violation of this chapter shall constitute an infraction and shall be punishable by a fine of not less than ten dollars (\$10.00) for a first offense, twenty-five dollars (\$25.00) for a second offense and one hundred dollars (\$100.00) for each offense thereafter. (Ord. 432 B 1, 1995: Ord. 404 B 2 (part), 1993: prior code §§ 4-6.03 (part), 4-6.09)

Chapter 10.28

MISCELLANEOUS RULES

Sections:

10.28.010 Trains--Obstructing streets.

10.28.010 Trains--Obstructing streets.

It is unlawful for any person in charge of any car engine or train of cars to permit or allow such car, engine or train of cars to be upon or obstruct any street crossing in the city for a period longer than ten (10) successive minutes on any occasion. (Prior code B 4-5.301)

Chapter 10.32

ADMINISTRATIVE REVIEW

Sections:

10.32.010 Designation--Authority.

10.32.020 Initial review.

10.32.030 Appeal.

10.32.010 Designation--Authority.

Pursuant to Vehicle Code Section 402.007, for a period of twenty-one (21) days from the issuance of a notice of parking violation or ten (10) days from the mailing of a notice of delinquent parking violation, a person may request a review of the appropriateness of the parking citation by the chief of police. (Ord. 420 B 1 (part), 1994: prior code B 4-5.501)

10.32.020 Initial review.

If a person is not satisfied with the review and decision of the chief of police, that person may, within fifteen (15) days of the mailing of the results of the initial investigation review by the chief of police, request in writing that the appropriateness of the parking citation be reviewed by the city manager. At the time the written request for the review is made, the person must tender the amount of the parking penalty and tender an explanation of the reason for contesting the parking violation. Within a reasonable time after receiving the request for review, the city manager shall notify the person of the time and

place of the hearing. At the hearing, the city manager shall review all information supplied by the person who is appealing and any other information available and make his or her decision. The decision of the city manager shall be mailed to the person requesting the appeal by first class mail. (Ord. 420 B 1 (part), 1994: prior code B 4-5.502)

10.32.030 Appeal.

Pursuant to Vehicle Code Section 402.30, within twenty (20) days after the mailing of the final decision by the city manager, the person may seek review by filing an appeal with the municipal court and pay the appeal fee of twenty-five dollars (\$25.00) to the city. (Ord. 420 B 1 (part), 1994: prior code B 4-5.503)

Chapter 10.36

PARKING CITATION BAIL SCHEDULE

Sections:

10.36.010 Parking violation bail schedule.

10.36.010 Parking violation bail schedule.

Any violation of Chapter 10.16 of this title and any violation of the Vehicle Code section set forth in the bail schedule below, shall be an infraction and shall be punishable by a fine set forth in the following bail schedule.

Bail Schedule

Vehicle Code Section	Offense	Bail Amount
21210	Bicycle Impeding Pedestrians	\$ 20.00
22500 (a-h, j, k)	Improper Parking	20.00
22500 (i)	Parking in Bus Zone	250.00
22500 (l)	Parking in Wheelchair Access	250.00
22502 (a, e)	Curb Parking Restricted	20.00

22505 (b)
Posted "No Parking"
20.00
22507.8 (a-c)
Parking in Disabled Space
275.00
22514
Parking in front of Fire Hydrant
20.00
22515
Unattended Vehicle
20.00
22516
Locking Occupied Vehicle
100.00
22517
Opening Door on Traffic Side
100.00
22521
Parking on Railroad Tracks
20.00
22522
Parking Near Sidewalk Access
275.00
22523 (a, b)
Vehicle Abandonment
270.00
22526
Blocking Intersection
50.00
22650
Unauthorized Removal of Vehicle
50.00
22951
Parking Lot - Street/Alley Parking
20.00
22952 (a, b)
Vehicle Removal from Parking Lot
100.00
23333
Stopping/Parking on Bridge
20.00

(Amended during 2004 codification; Res. 27-2000; Ord. 420 B 2, 1994: prior code B 4-5.601)

Chapter 10.40

TRIP REDUCTION PROGRAM

Sections:

- 10.40.010 Purpose.
- 10.40.020 Objective.
- 10.40.030 Intent.
- 10.40.040 Definitions.
- 10.40.050 Project requirements.
- 10.40.060 Transportation plan.
- 10.40.070 Trip reduction credit for transportation control measures (TCMs).
- 10.40.080 Annual reporting requirements.
- 10.40.090 Implementation schedule.
- 10.40.100 Compliance monitoring.
- 10.40.110 Violation--Penalty.
- 10.40.120 Appeal.

10.40.010 Purpose.

The purpose of this chapter is as follows:

- A. Reduce total vehicle emissions in Placer County and South Placer region by reducing the number of vehicular trips that might otherwise be generated by home-to-work commuting.
- B. Reduce traffic congestion in Placer County by reducing both the number of vehicular trips and the vehicular miles traveled that might otherwise be generated by home-to-work commuting.
- C. Reduce or delay the need for major transportation facility improvements by making efficient use of existing facilities.
- D. Reduce present and future motor vehicle emissions as a contribution for complying with federal and state ambient air quality standards.
- E. Implement measures that will work towards attainment of ambient air quality standards and compliance with congestion management program (CMP) requirements.
- F. Increase the average vehicle ridership (AVR) during the weekday commute period ("peak period") to work towards goals set forth in the California Clean Air Act. (Ord. 407 B 2 (part), 1993: prior code B 6-6.01)

10.40.020 Objective.

The fundamental objective of the trip reduction program as established by this chapter is to increase the average vehicle ridership (AVR) for home-to-work commuting to thirty-three (33) percent higher average number of passengers per vehicle (AVR=1.4) than would occur if all such trips were made in single-occupant vehicles (AVR=1.0). Large employment facilities or common work locations will be expected to accomplish a higher portion of this reduction than small employment centers in recognition of the greater opportunity for rideshare matches and increased viability of transit at large employment facilities. (Ord. 407 B 2 (part), 1993: prior code B 6-6.02)

10.40.030 Intent.

It is the intent of this chapter that employers strive to reach the goal of an average vehicle ridership (AVR) of 1.4 persons per vehicle. Employers are required to put forth a good faith effort to encourage employees to use alternative transportation modes through the methods described below. (Ord. 407 § 2 (part), 1993: prior code § 6-6.03)

10.40.040 Definitions.

As used in this chapter:

"Alternative commute mode" means a method of traveling to and from the worksite other than by single-occupant vehicle (i.e., transit, carpool, vanpool, bicycle, walking, telecommuting).

"Average vehicle ridership (AVR)" means the average number of persons occupying each vehicle. AVR is calculated by multiplying the number of employees by the standard number of trips in a work week (generally ten (10)), then divided by actual number of vehicular trips per work week. For example, if all employees drive alone to work each day, the AVR = 1.0. If there are ten (10) employees and only sixty-seven (67) vehicular trips, then the AVR is 1.5, which means that, on average, each vehicle is transporting 1.5 people to their destination. The higher the AVR, the more people are using alternative transportation methods.

"Carpool" means a motor vehicle occupied by two or more persons traveling to and from work.

"Common work location" means a single building, building complex, campus or work sites at common location. A common work location is typified by a common private parking lot or area to be used by employees, tenants, customers and/or other visitors to the complex, notwithstanding parking slot designations, such as specific spaces designated for specific tenants. Common work locations may be public, private or educational facilities. More than one employer may be grouped at one common work location.

"Commuter" means an employee who travels regularly to and from an employment facility three or more times a week.

"Commuter matching service" means any system for mapping and matching home and work locations of interest commuters to identify prospects for ridesharing.

"Employee" means those who provide a paid service for twenty (20) or more hours per week.

"Employee transportation coordinator (ETC)" means an employee or other individual designated by the employer or project controller to coordinate and implement TSM activities as required by the transportation plan.

"Peak period commuter" means any employee who travels regularly to and from a facility three or more days a week and arrives or departs from the facility between six a.m. to nine a.m. Monday through Friday.

"Project controller" means the owner, lessor and/or manager of a common work location.

"Rideshare program" means the commuter matching service and commuter information service operated by the South Placer TMA or Caltrans-Sacramento Rideshare.

"Ridesharer" means any employee who commutes to and from his or her work location by any mode other than single-occupancy light or medium duty vehicle, motorcycle or moped.

"Shift of employment" means any group of employees who work at a common work location and who arrive and depart from work in a common time interval not greater than one hour.

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

"Transportation control measures (TCMs)" means measures used to maintain or improve the efficient movement of persons and goods while reducing the congestion and air quality impacts associated with motorized vehicles.

"Transportation control measure (TCM) coordinator" means the city employee or other individual designated to manage and enforce employer compliance with TRO requirements.

"Transportation management association (TMA)" means an association, usually of public agencies and private firms organized to facilitate, support and encourage the use of alternative transportation methods for commuters.

"Transportation plan" means the plan developed by the employer or project controller to reduce single-occupant vehicle trips, pursuant to Section 10.40.060 of this chapter.

"Trip reduction credit" means the number of points credited to an employer's transportation plan for implementing a specific transportation control measure (TCM) program.

"Vanpool" means a motor vehicle, other than a motor truck or truck tractor, suited for occupancy by more than six but less than sixteen (16) persons including the driver, traveling to and from work. (Ord. 417 § 1 (part), 1993; Ord. 407 § 2 (part), 1993: prior code § 6-6.04)

10.40.050 Project requirements.

A. Level 1--All Employers. Every employer shall encourage use of alternative commute modes by providing the following:

1. Posting in a conspicuous place or places informational material provided by the TCM coordinator to encourage ridesharing, such as:

a. Current schedules, rates (including procedures for obtaining transit passes) and routes of mass transit service to the common work location or employment site;

b. The location of all bicycle routes within at least a five-mile radius of the facility;

c. Posters or flyers encouraging the use of ridesharing and referrals to sources of information concerning ridesharing;

2. Commuter Matching Service. Disseminating annually to all tenants and employees and to new tenants and new employees when hired, written information provided by the TCM coordinator regarding an area-wide commuter ridesharing matching service.

B. Employee Survey Tabulation. All employers will be asked to complete and return an annual survey regarding employees' use of alternative transportation modes. For employers of less than fifty (50), a brief survey form

on a postcard will be used. Employers of more than fifty (50) shall be provided a more detailed survey form for completion.

C. Level 2--All Employers or Common Work Locations With One Hundred (100) or More Employees. In addition to the requirements of Level 1, all employers or common work locations with one hundred (100) or more employees shall provide additional encouragement for the use of alternative transportation modes, through the provision of the following incentives and resources:

1. Employee Transportation Coordinator (ETC). Every employer or common work location with one hundred (100) or more employees shall facilitate the employees use of an area-wide ridesharing program by designating an employee transportation coordinator (ETC). The name, title, address and telephone number of such coordinator shall be reported to the TCM coordinator within sixty (60) calendar days of the effective date of this chapter for those employers currently having one hundred (100) or more employees or within sixty (60) calendar days after reaching one hundred (100) or more employees. In the case of common work locations, property managers or owners may not be immediately aware when the one hundred (100) employee threshold is met. Annual surveys and/or employers database updates may provide this information to the TCM coordinator sooner, in which case they would then notify the property manager or owner of the new employment level. The ETC should be strongly encouraged to take advantage of educational resources, including training seminars, workshops, training manuals and discussions with other ETCs. ETCs need not be full-time employees, not is it necessary that ETC duties take up a majority of the designated employee's time.

2. The ETCs responsibilities shall include:

- a. Publicizing the availability of public transportation;
- b. Communicating employee or tenant transportation needs to the city TMC coordinator, property manager, property owner and/or city staff as appropriate;
- c. Assisting employees or tenants in forming carpools or vanpools;
- d. Developing, coordinating and implementing the employer's transportation plan;
- e. Coordinating, documenting and preparing the annual transportation mode survey and report;
- f. Performing an annual survey of employees and tenant transportation profile showing the distribution of employees and tenants by transportation mode;
- g. Coordinating with property owner and other tenants' transportation plans as applicable;
- h. Coordinating participation in a ridesharing program through a transportation management association, either as a member agency or otherwise, including the distribution and collection of commuter matching forms and submittal to the appropriate rideshare program. The information on these forms will then be entered into the regional database to match commuters by home and work address for carpools and vanpools;
- i. Coordinating any necessary, authorized on-site visit by city TCM coordinator.

3. Any specific common work location may be excluded from Level II requirements if implementation is deemed infeasible by the city council. (Ord. 417 B 1 (part), 1993; Ord. 407 B 2 (part), 1993: prior code B 6-6.04)

10.40.060 Transportation plan.

A. A transportation plan is required for each existing employer or common work location having one hundred (100) or more employees and/or for every employer or common work location upon reaching one hundred (100) or more employees.

B. The transportation plan shall include:

1. Description. A description of the activity and operating characteristics of the proposed or existing project (e.g., business hours and peak hours of travel), including a parking area map or diagram.

2. Existing Conditions. A description of the alternative transportation facilities and programs currently in place, such as bike lockers, preferential carpool parking, rideshare information posting, vanpool subsidies, etc.

3. Estimate. A description and estimation of the commuting characteristics of the labor force (e.g., travel distance and mode).

4. Transportation Control Measures (TCMs). Measures designed to reduce the number of single-occupant vehicle trips.

5. Implementation Schedule. A timeline showing the approximate schedule of implementation of each of the selected mitigation measures.

6. Management Support Letter. In order for the transportation plan to be successfully implemented, the top management of the employer of common work location must be aware of the program and committed to making it work. A letter expressing this commitment is required.

C. If an existing project generates or a new project is expected to generate one hundred (100) or more employees, the plan shall be designed with a goal of achieving an AVR of 1.4. To do this, the plan must include mandatory and optional transportation control measures (TCMs) from the list in subsection B of this section. Each of these transportation control measures (TCMs) are assigned a trip reduction credit; the plan must include measures that have a cumulative total of twenty (20) trip reduction points.

D. The city TCM coordinator shall provide assistance to ETCs in preparing and managing their transportation plan. This assistance may include, but is not limited to, guidebooks to an estimate of the potential effectiveness of common ridesharing activities, sample transportation plans, educational resources and networking opportunities. (Ord. 407 B 2 (part), 1993: prior code B 6-6.06)

10.40.070 Trip reduction credit for transportation control measures (TCMs).

A. In order to meet the required levels of trip reduction, every transportation plan shall list the TCMs proposed to be implemented. Every plan shall include and implement all of the mandatory TCMs set forth in the project requirements. The employer or project controller may then select from optional TCMs that will best serve to reduce commute trips of the employees of the particular project. The transportation plan will then receive the vehicle trip reduction credits as defined in Section 10.40.040 of this chapter. These TCMs

shall be selected by the applicant and may include, but are not limited to the following:

1. Payment of subsidies or provision of other incentives to carpoolers or vanpoolers;
2. Payment of parking charges or absorption of vanpool operation expense for ridesharers;
3. Payment of subsidies or provision of incentives for the use of transit or transportation by other than single-occupant motor vehicles;
4. Provision of amenities, such as bicycle lockers, transit shelters, shuttle buses, etc. designed to enhance the use of other than single-occupancy motor vehicles;
5. An adequate number of shower and personal locker facilities for regular bicycle commuters;
6. A vanpool program consisting of a continuously outstanding offer to acquire a van or vans (by purchase, lease or otherwise), to obtain insurance and to make available to any group of at least seven employees a van for their use in a vanpool;
7. Provisions for a flex-time program to shift vehicle trips from the peak period to nonpeak hours. A reduction in vehicle trips per day shall be permitted and calculated in the following manner:

The number of trips taken out of the peak period, divided by the estimated total trips multiplied by 25% would equal the percent reduction of vehicle trips per day credited.

8. Implementation of telecommuting and teleconferencing programs;
 9. Implementation of a compressed work week program;
 10. Joining and maintaining active membership in a transportation management association (TMA);
 11. Provision of necessary services on-site, such as child care, banking, dry cleaning, restaurants and so on;
 12. Any other program the applicant may devise, with approval of TCM coordinator and designated approving body.
- B. Required Transportation Control Measures (TCMs). Each of the following transportation control measures (TCMs) are assigned a trip reduction credit. Each transportation plan must include measures that have a cumulative total of twenty (20) trip reduction points.

1. Designation of an employee transportation coordinator (ETC).
Trip reduction credit--
2 points.
2. Posting of ridesharing information, including:
Trip reduction credit--
1 point.
 - a. Posters or flyers encouraging the use of ridesharing and referrals to sources of information concerning ridesharing;

b. The names and phone numbers of the TSM coordinator, transportation management association and the city/county transportation coordinator.

3. Posting of alternative transportation mode information, such as:

Trip reduction credit--

1 point.

a. Current schedules, rates (including procedures for obtaining transit passes) and routes of mass transit service to the common work location or employment site;

b. The location of all bicycle routes within at least a five-mile radius of the facility.

4. Distribution of Commuter Matching Service Information. The South Placer TMA and Caltrans Sacramento Rideshare each maintain regional computer databases to match commuters with common cross streets. Each provides rideshare information to employers for distribution and then directly mails the match lists to the employees. The South Placer TMA provides rideshare matchlisting for destinations within Placer County, while Caltrans Sacramento Rideshare provides matchlisting for out-of-county destinations. Credit will be given if the ETC distributes the information annually to all employees and upon hiring to all new employees.

Trip reduction credit--

3 points.

5. Bicycle Parking Facilities. Unless there are overriding considerations specific to the employment site, parking must be supplied for at least two percent of employment. The bicycle parking facilities shall be, at minimum, Class II stationary bike racks.

Trip reduction credit--

1 point.

6. Preferential Carpool/Vanpool Parking. Unless there are overriding considerations specific to the employment site, parking spaces for four percent of employees must be painted "Carpool Parking" or "Vanpool Parking" and must be, with the exception of handicapped parking, the spaces with most convenient access to the employee entrances. The ETC may issue carpool and vanpool stickers to the vehicle owners and shall be responsible for monitoring the spaces.

Trip reduction credit--

2 points.

C. Optional Transportation Control Measures (TCMs).

1. ETC Education Program. ETC must attend educational seminars, workshops or other approved training programs on an annual basis. Points given are based on number of hours of attendance; two points are given for one hour of training, with an additional point for every additional one hour of training, to a maximum credit of four points.

Trip reduction credit--

2-4 points.

2. Additional Preferential Carpool/Vanpool Parking. Additional employee parking spaces must be painted "Carpool Parking" or "Vanpool Parking" and must be, with the exception of handicapped parking, the spaces with the most convenient access to the employee entrances. The ETC may issue carpool and vanpool stickers to the vehicle owners and shall be responsible for monitoring the spaces. An additional point is provided for each additional two percent of total number of employees for which preferential carpool/vanpool parking is provided, up to a maximum of three additional points.

Trip reduction credit--

1-3 points.

3. In-House Carpool Matching Service. The ETC conducts a survey of all employees in order to identify persons interested in being matched into carpools.

Potential carpools are then matched by work address and shift. Credit is given if this service is performed on an annual basis and for all new employees interested in ridesharing.

Trip reduction credit--

4 points.

4. Transportation Management Association (TMA) Membership. The ETC or other designated management employee shall actively participate in a regional TMA. The ETC shall attend all membership meetings or send a designated representative, pay all required dues and/or be involved in any other programs which the TMS board administers. By taking full advantage of full TMA membership, many additional points may be earned.

Trip reduction credit--

4 points.

5. Guaranteed Ride Home Program. Employers will provide or contract to provide a guaranteed ride home for employees who rideshare two days a week or more. The guaranteed ride home would be provided to the ridesharer in the event that an emergency or illness requires that they or their carpool or vanpool driver must leave work early.

Trip reduction credit--

3 points.

6. Parking Fee. Employees who arrive at work in single-occupant vehicles must pay a parking fee of ten dollars (\$10.00) per week, while carpool and vanpool vehicles are not charged.

Trip reduction credit--

6 points.

7. Vanpool Program. The employer is required to continuously extend an offer to purchase or lease a van or vans, to obtain insurance and to make available to any group of at least seven employees a van for commute purposes. The employer may recover full or partial operating costs from the vanpool participants.

Trip reduction credit--

4 points.

8. Shuttle Bus/Buspool Program. The employer must provide sufficient shuttle service to transport workers to and from their residences, a park-and-ride lot or other staging area to the workplace. The employer may choose to lease a bus and may work with nearby employers to maximize ridership.

Trip reduction credit--

4 points.

9. Transit/Rail Pass Subsidy. The employer provides a monthly transit or rail pass subsidy of fifty (50) percent or the maximum taxable benefit limit, whichever is higher. The workplace must be within a reasonable walking distance to a transit stop or rail station. The ETC will be responsible for distribution of the passes and collection of fees.

Trip reduction credit--

4 points.

10. Transit Shelter. The developer/owner will construct a shelter on the designated bus route or will post a bond for future construction once the transit route is extended to the site.

Trip reduction credit--

2 points.

11. Secure Bicycle Parking Facilities. Parking must be supplied for at least three percent of employment. The bicycle parking facilities shall be of the following types:

Trip reduction credit--

2 points.

a. A Class I bicycle parking facility with a locking door, typically called a bicycle locker, where a single bicyclist has access to a bicycle storage compartment;

b. A fenced or covered area with Class II stationary bike racks and a locked gate.

12. Showers and Lockers. Two showers, one men's and one women's, shall be provided for employers of less than two hundred (200) persons. For employers of more than two hundred (200) persons, there shall be four showers with the number increasing by two for every five hundred (500) employees. Ten (10) lockers shall be provided for employers of less than two hundred (200) persons. For employers of more than two hundred (200) persons, there shall be twenty (20) lockers, with the number increasing by ten (10) for each five hundred (500) employees.

Trip reduction credit--

2 points.

13. Flexible Work Location. A management strategy allowing the employee flexibility in work place outside the employer's established location. These strategies may include but are not limited to telecommuting from the employee's home or the creation of neighborhood office satellites.

Trip reduction credit--

4 points.

14. Flexible Work Hours. A work hour management strategy allowing the employee to adjust work hours outside of the employer's established start and stop time and outside peak hours. Variable work hours may include, but are not limited to: (a) staggered work hours involving a shift in the set work hours of all employees at the workplace to those outside of peak hours; and (b) flexible work hours involving individually determined work hours within guidelines established by the employer. The developer/owner shall agree to devise a lease agreement in which the variable work hours are available to all tenant's employees.

Trip reduction credit--
2 points.

15. Compressed Work Weeks. A management strategy allowing the employee to compress the total number of hours required in a week to fewer days. For example, a typical forty (40) hour work week could be compressed into four ten (10) hour days.

Trip reduction credit--
3 points.

16. On-Site Services. Through employer provision, cooperative efforts of employers and services or other means, necessary services are available within one-fourth mile of the employment site. Necessary services would include, but are not limited to, child care, cafeteria/restaurant, lunch room, automated teller machine, dry cleaners or post office. Actual credits awarded will depend on which service or combination of services are provided and proximity to employment site.

Trip reduction credit--

Negotiable with TCM coordinator and designated approving body.

17. Transit System Subsidy/Grant. Employer provides support to local transit system, which could be for system operations or for capital needs such as new buses. Subsidies or grants could be financial or through donation of capital needs. Actual credits awarded will depend on the amount and type of subsidy or grant.

Trip reduction credit--

Negotiable with TCM coordinator and designated approving body.

18. Other. Trip reduction measures that are not included in this subsection or do not specifically fit the descriptions contained herein may also be considered. Innovative methods are strongly encouraged. An example would be a high school setting up a ridesharing educational program for their students.

Trip reduction credit--

Negotiable with TCM coordinator and designated approving body.

D. A county-wide technical advisory committee comprised of representatives of jurisdictions, the Placer County air pollution control district, TMAs, regional planning agencies, Caltrans and the business community as represented by chambers of commerce will be available to provide technical evaluation of innovative TCM proposals to TCM coordinators and designated approving bodies. This technical advisory committee will then advise the TCM coordinator and designated approving body on the appropriate trip reduction points to be credited to the transportation plan. The input of this technical advisory committee is offered as a support service; it is up to the individual jurisdictions' discretion as to whether to pursue it. In addition, the evaluation and opinion provided by this committee is for advisory purposes only and is in no way binding on the designated approving body's final determination.

E. The transportation plan shall be referred to the city TCM coordinator for review and evaluation of the proposed mitigation measures and recommendation made to the person or body designated by the city to approve the plan.

F. Approving person is the city planner or in the case of appeals, the planning commission and city council.

G. A decision to approve or disapprove the transportation plan shall be deemed final fourteen (14) calendar days after the date that the applicant receives a notice of the approving person or body's decision unless an appeal has been filed pursuant to Section 10.40.120 of this chapter. (Amended during 2004 codification; Ord. 417 β 1 (part), 1993; Ord. 407 β 2 (part), 1993: prior code β 6-6.07)

10.40.080 Annual reporting requirements.

A. The ETC shall complete an annual transportation mode survey and status report. The purpose of this report is to verify the dates and results of the mitigation measures specified in the transportation plan.

B. The survey portion of the report requires the ETC to annually perform a transportation survey of employees on standard form to be provided to determine the changes in the distribution of employees using various transportation modes on in comparison with the baseline information. The transportation survey shall include information such as origin and destination of travel, transportation mode used, work schedule and interest in alternative mode commuting. A survey response rate of seventy-five (75) percent is required to ensure the significance of the results. The surveys distributed by the ETC shall be available for audit by the city following the completion of the annual report.

C. The status report portion shows the mitigation measures included in the transportation plan with the implementation or completion date entered for each measure. If a measure was not implemented within the stated time frame, an explanation why it was not done must be included. If there are certain measures stipulated in the previous transportation plan that are believed to no longer be feasible, an explanation must be included.

D. Contents.

1. Compliance Program. Description and documentation of your compliance with mitigation measures described in the transportation plan, including details of individual programs.

2. Commute Characteristics. Status report on effectiveness of transportation plan as shown by the commute characteristics of employees. Specifically, this includes the average number of tenants and/or employees regularly arriving at and leaving the project site by each of the following modes of transportation:

- a. Single-passenger motor vehicles (including mopeds);
- b. Carpools, including number of vehicles and number of occupants per vehicle;
- c. Van-type vehicles with seven or more commuters including the number of vehicles and number of occupants per vehicle;
- d. Mass transit;
- e. Bicycles;
- f. All others.

3. Totals. The total number of tenants and/or employees by work shift at the project site.

4. Employee Characteristics. The zip code and nearest cross streets of each employee's residence.

5. Employee Transportation Coordinator (ETC). The name, address and telephone number of the ETC.

6. Statement of Certification. The employer or project controller must certify that the TCMs agreed to for trip reduction credit have been fully implemented. If the TCMs have not been implemented, an explanation must be included and the annual transportation survey and report shall include actions to be taken to implement the program. (Ord. 407 § 2 (part), 1993: prior code § 6-6.08)

10.40.090 Implementation schedule.

Employers and common work location with one hundred (100) or more employees must comply with this chapter within six months of adoption of the ordinance codified in this chapter. Employers and employment complexes with less than one hundred (100) employees must comply with this chapter within thirty (30) days of receipt of posting information. (Ord. 407 § 2 (part), 1993: prior code § 6-6.09)

10.40.100 Compliance monitoring.

A. The TCM coordinator shall review the annual transportation mode survey and report of each project and compare performance with the goals established in the approved transportation plan. Inspection of the business location by the TCM coordinator may be conducted as necessary to determine compliance with these provisions or to assist ETCs in preparing surveys or reports. Survey will be forwarded to the Placer County transportation commission (PCTC) for calculation of AVR. Survey results will be tabulated by the PCTC and available to employers for review and reference. A good faith effort to encourage employees to use alternative transportation as provided in the transportation plan is required. However, this chapter does not hold employers liable if the results of their efforts on employee commute habits do not produce the state trip reduction goals.

B. If after review of the annual transportation mode survey and report, the TCM coordinator finds the performance has been unsatisfactory in that progress was not made toward full implementation of TCM programs within the approved plan, the TCM coordinator shall notify the employer or project controller in writing that revisions and/or additions must be made in order to achieve the required implementation of TCMs within one year of submittal. The employer or project controller will then be granted thirty (30) days to submit a revised report.

C. If the revised report is still not satisfactory, the TCM coordinator will prepare a staff report to the approving person/body. The approving person/body may then find that the employer or project controller and/or the ETC is in violation of this chapter and recommend that the matter be forwarded to the city council. (Ord. 407 § 2 (part), 1993: prior code § 6-6.10)

10.40.110 Violation--Penalty.

Failure to comply with the requirements of this chapter or with the terms of a transportation plan required pursuant to this chapter shall be deemed a violation and subject to the following penalties:

A. Misdemeanor or as an infraction in the discretion of the city attorney.

B. Violations of this chapter are punishable separately and independently of any other remedies at law or inequity, including, but not limited to, those remedies provided in any applicable transportation plan.

C. In addition to any other penalty allowed, the city council may impose civil or administrative fines of up to five hundred dollars (\$500.00) per day for failure to meet the goals set forth in this chapter. (Ord. 407 B 2 (part), 1993: prior code B 6-6.11)

10.40.120 Appeal.

Appeal from an action taken by the approving person pursuant to this chapter may be made in writing to the city council within twenty (20) days of the approving person's decision. (Ord. 407 B 2 (part), 1993: prior code B 6-6.12)