

WHATCOM COUNTY COUNCIL AGENDA BILL

2018-125

NO. _____

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	JPR	4/11/18	<div style="font-size: 2em; opacity: 0.5;">RECEIVED</div> <div style="font-size: 1.5em; opacity: 0.5;">APR 16 2018</div> <div style="font-size: 1.2em; opacity: 0.5;">County Council</div>	4/24/2018	PW Council - Introduction
Division Head:	JPR	4/11/18		5/8/18	Council - Hearing
Dept. Head:	TH	4/12/18		5/22/2018	Public Hearing
Prosecutor:	KNF	4/12/18			
Purchasing/Budget:					
Executive:	TH	4.16.18			

TITLE OF DOCUMENT:

An Ordinance creating a "golf cart zone" on certain roads in the Birch Bay area.

ATTACHMENTS:

1. Memorandum to County Executive and County Council
2. Golf Cart Zone Maps A-D
3. RCW 46.08.175 & 46.04.1945
4. Ordinance

SEPA review required? () Yes (X) NO
 SEPA review completed? () Yes (X) NO

Should Clerk schedule a hearing? (X) Yes () NO
 Requested Date: 5/8/18

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Designation of certain roads in the Birch Bay area, as a "golf cart zone" as defined in RCW 46.08.175

COMMITTEE ACTION:

4/24/2018: Discussed

COUNCIL ACTION:

4/24/2018: Introduced 6-0, Byrd absent
 5/8/2018: Held in Council, public hearing held open for two weeks

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

Jon Hutchings
Director



Joseph P. Rutan, P. E.
County Engineer/Assistant Director
322 N. Commercial Street, Ste 301
Bellingham, WA 98225-4042
Phone: (360) 778-6210
Fax: (360) 778-6211

RECEIVED

APR 12 2018

JACK LOUWS
COUNTY EXECUTIVE

Memorandum

To: The Honorable Jack Louws, Whatcom County Executive and
The Honorable Members of the Whatcom County Council

Through: Jon Hutchings, Director *JH*

From: Joseph P. Rutan, P.E., County Engineer/Assistant Director *JPR*

Date: April 11, 2018

Re: **Ordinance creating a "Golf Cart Zone" on certain roads in the Birch Bay area**

Requested Action

At the request of the Whatcom County Council Public Works Committee, the Public Works Department respectfully submits the attached ordinance to create a "Golf Cart Zone" on certain roads in the Birch Bay area.

Background and Purpose

The Whatcom County Council Public Works Committee met on 11/21/2017 to discuss the creation of a golf cart zone in Birch Bay. The Birch Bay Chamber of Commerce President, Mr. Billy Brown, spoke in favor of the creation of a golf cart zone. The Committee directed the Public Works Department to coordinate with the Whatcom County Sheriff to develop an ordinance for the creation of a golf cart zone in Birch Bay.

This proposed "Golf Cart Zone" will include Birch Bay Drive and All County Roads posted 25 mph or less, that lead to and are contiguous with, Birch Bay Drive. (See attached maps)

Information

Creation of golf cart zones is allowed per RCW 46.08.175 while "golf carts" are defined under RCW 46.04.1945, see attached. RCW 46.08.175 requires that a roadway designated as a "Golf Cart Zone" have a posted speed limit of 25 mph or less.

Several existing roads within the proposed "Golf Cart Zone" are commonly understood to be 25 mph although they do not have an ordinance designating these as such. An ordinance to officially designate these roads as 25 mph must be approved prior to the adoption of this "Golf Cart Zone" ordinance.

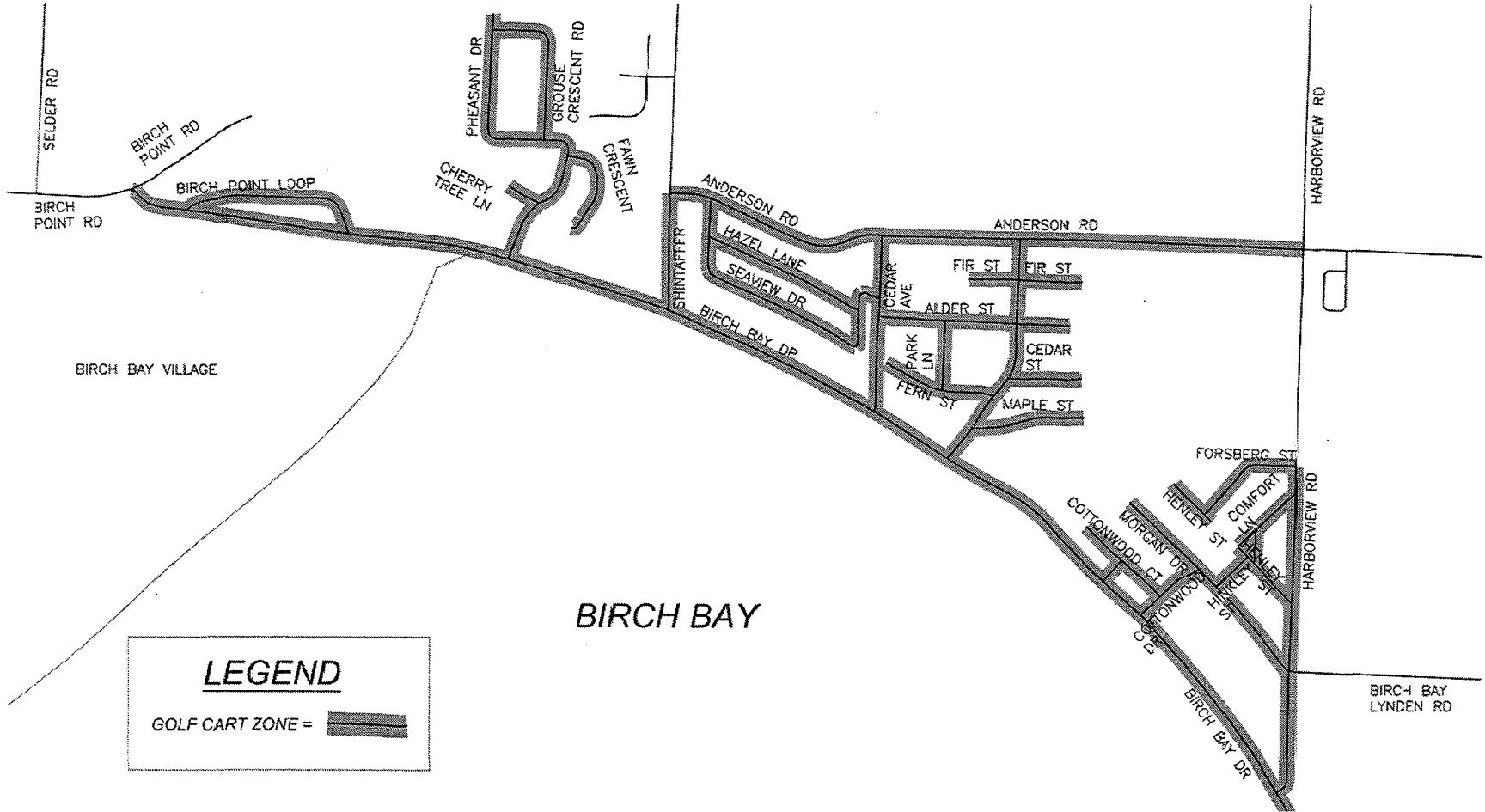
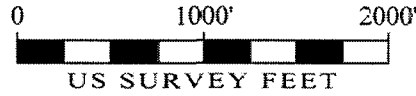
Please contact Joe Rutan at extension 6219 with any questions regarding this ordinance.



ATTACHMENT "A"

DEPARTMENT OF PUBLIC WORKS
322 N. COMMERCIAL ST., SUITE 301
BELLINGHAM, WA 98225
(360) 778-6210

SITUATE IN A PORTION OF SECTION 24
TOWNSHIP 40 NORTH, RANGE 1 WEST, W.M.
WHATCOM COUNTY, WASHINGTON



LEGEND

GOLF CART ZONE =

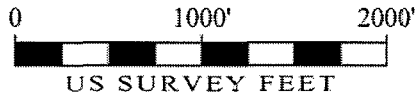
SEE ATTACHMENT "B"



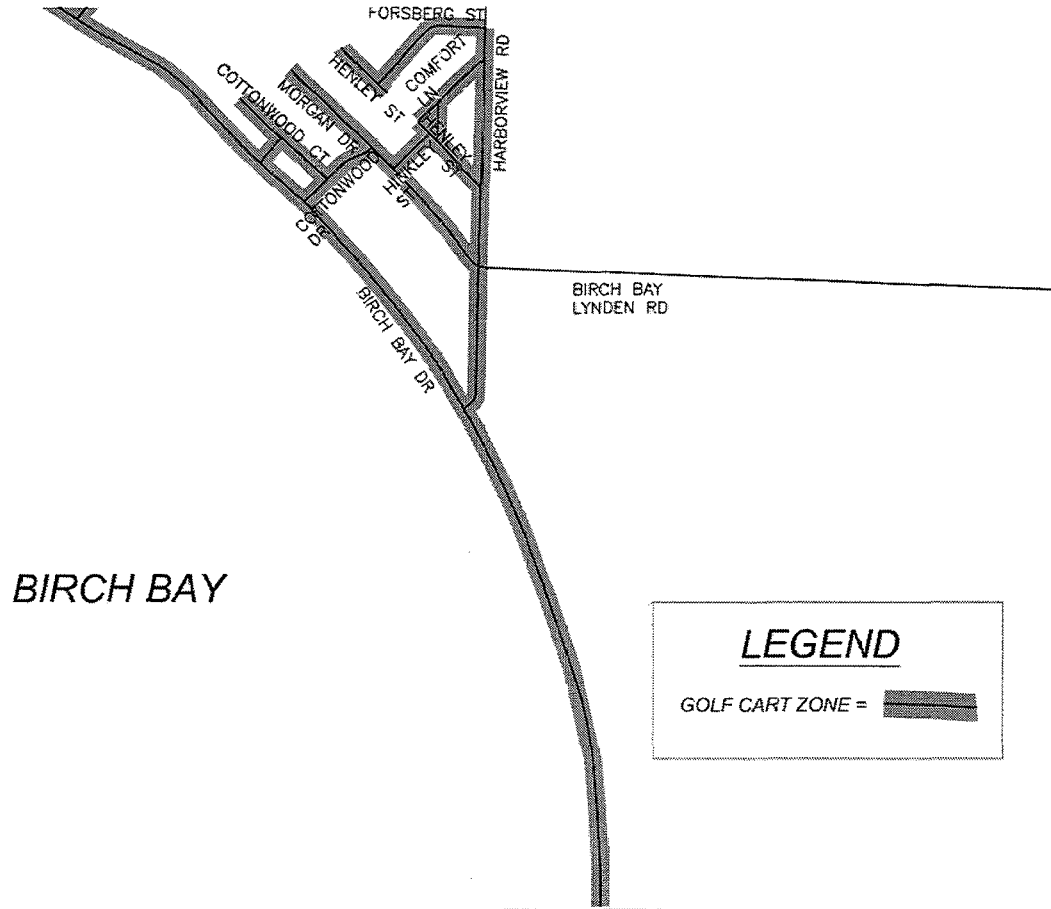
ATTACHMENT "B"

DEPARTMENT OF PUBLIC WORKS
322 N. COMMERCIAL ST., SUITE 301
BELLINGHAM, WA 98225
(360) 778-6210

SITUATE IN A PORTION OF SECTION 24
TOWNSHIP 40 NORTH, RANGE 1 WEST, W.M.
WHATCOM COUNTY, WASHINGTON




SEE ATTACHMENT "A"



BIRCH BAY

LEGEND

GOLF CART ZONE = 

SEE ATTACHMENT "C"



ATTACHMENT "C"

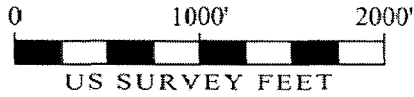
SEE ATTACHMENT "B"

DEPARTMENT OF PUBLIC WORKS
322 N. COMMERCIAL ST., SUITE 301
BELLINGHAM, WA 98225
(360) 778-6210

SITUATE IN A PORTION OF SECTION 31
TOWNSHIP 40 NORTH, RANGE 1 EAST,
W.M & SECTION 36, TOWNSHIP
40 NORTH, RANGE 1 WEST, W.M
WHATCOM COUNTY, WASHINGTON

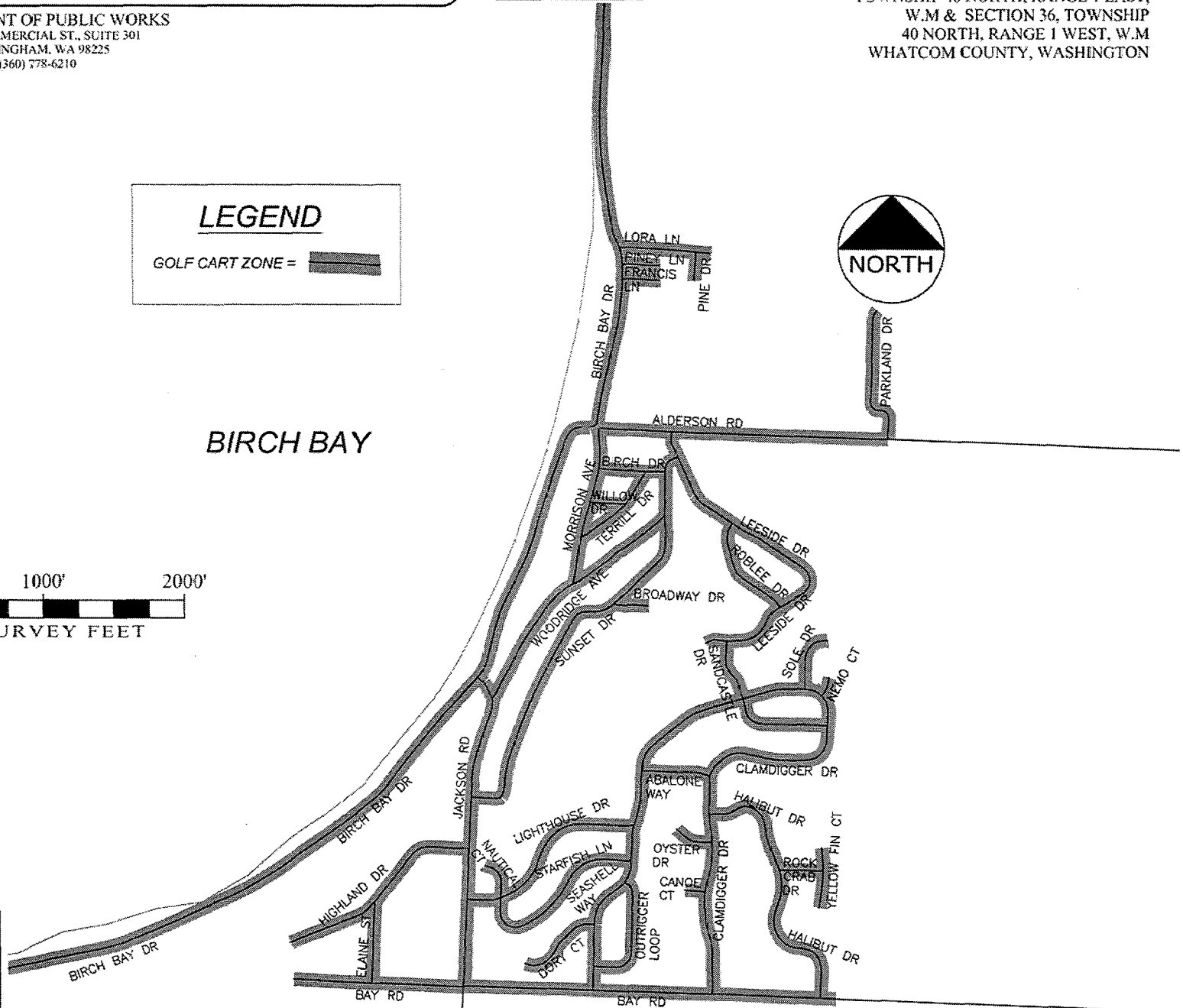
LEGEND

GOLF CART ZONE =



BIRCH BAY

SEE ATTACHMENT "D"





ATTACHMENT "D"

DEPARTMENT OF PUBLIC WORKS
322 N. COMMERCIAL ST., SUITE 301
BELLINGHAM, WA 98225
(360) 778-6210

SITUATE IN A PORTION OF SECTION 2
TOWNSHIP 39 NORTH, RANGE 1 WEST, W.M.
WHATCOM COUNTY, WASHINGTON



LEGEND

GOLF CART ZONE = 

BIRCH BAY

BIRCH BAY DR

BIRCH BAY DR

SEE ATTACHMENT "C"

POINT WHITEHORN RD

POINT WHITEHORN RD

GRANDVIEW RD

HOLEMAN AVE

WHITEHORN RD

WHITEHORN WAY

HOLEMAN AVE

BIRCH BAY DR

PETTICOTE LN

BEANS
ROCK
LOOP

MALIBU LN

OCEAN MIST
LOOP

HILL ST

BIRCH BAY TR

HELVES LN

COASTAL
LOOP

MALIBU CREST

MALIBU DR

PROPOSED BY: Public Works - Engineering

INTRODUCTION DATE: 4/24/2018

ORDINANCE NO. _____

CREATING A "GOLF CART ZONE" ON CERTAIN ROADS IN THE BIRCH BAY AREA

WHEREAS, Birch Bay area residents have requested to operate golf carts in the Birch Bay area; and

WHEREAS, RCW 46.08.175 allows for creation of golf cart zones; and

WHEREAS, the Birch Bay Chamber of Commerce supports the creation of a golf cart zone in the Birch Bay area; and

WHEREAS, the speed limit on all the roads in the proposed Golf Cart Zone are 25 mph or less; and

WHEREAS, operators of golf carts shall be licensed motor vehicle operators as required by RCW 46.20.001.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that a Golf Cart Zone is hereby on Birch Bay Drive and all county roads posted 25 mph or less that lead to, and are contiguous with, Birch Bay Drive;

BE IT FURTHER ORDAINED that the County Engineer is hereby directed to install the appropriate signs; and

BE IT FURTHER ORDAINED that the Sheriff's Department be provided a copy of this ordinance.

ADOPTED this ____ day of _____, 2018.

ATTEST:


WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

APPROVED AS TO FORM:

() Approved () Denied



Civil Deputy Prosecutor

Jack Louws, Executive

Date: _____

RCW 46.08.175**Golf cart zones.**

- (1) The legislative authority of a city or county may by ordinance or resolution create a golf cart zone, for the purposes of permitting the incidental operation of golf carts, as defined in RCW 46.04.1945, upon a street or highway of this state having a speed limit of twenty-five miles per hour or less.
- (2) Every person operating a golf cart as authorized under this section is granted all rights and is subject to all duties applicable to the driver of a vehicle under chapter 46.61 RCW.
- (3) Every person operating a golf cart as authorized under this section must be at least sixteen years of age and must have completed a driver education course or have previous experience driving as a licensed driver.
- (4) A person who has a revoked license under RCW 46.20.285 may not operate a golf cart as authorized under this section.
- (5) The legislative authority of a city or county may prohibit any person from operating a golf cart as authorized under this section at any time from a half hour after sunset to a half hour before sunrise.
- (6) The legislative authority of a city or county may require a decal or other identifying device to be displayed on golf carts authorized on the streets and highways of this state under this section. The city or county may charge a fee for the decal or other identifying device.
- (7) The legislative authority of a city or county may prohibit the operation of golf carts in designated bicycle lanes that are within a golf cart zone.
- (8) Golf carts must be equipped with reflectors, seat belts, and rearview mirrors when operated upon streets and highways as authorized under this section.
- (9) A city or county that creates a golf cart zone under this section must clearly identify the zone by placing signage at the beginning and end of the golf cart zone on a street or road that is part of the golf cart zone. The signage must be in compliance with the department of transportation's manual on uniform traffic control devices for streets and highways.
- (10) Accidents that involve golf carts operated upon streets and highways as authorized under this section must be recorded and tracked in compliance with chapter 46.52 RCW. The accident report must indicate that a golf cart operating within a golf cart zone is involved in the accident.

[2010 c 217 § 4.]

RCW 46.04.1945**Golf cart.**

"Golf cart" means a gas-powered or electric-powered four-wheeled vehicle originally designed and manufactured for operation on a golf course for sporting purposes and has a speed attainable in one mile of not more than twenty miles per hour. A golf cart is not a nonhighway vehicle or off-road vehicle as defined in RCW 46.04.365.

[2011 c 171 § 12; 2010 c 217 § 3.]

NOTES:

Intent—Effective date—2011 c 171: See notes following RCW 4.24.210.