

1 | APPROVED: June 25, 2008

2 | EFFECTIVE: July 7, 2008

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4 | SNOHOMISH COUNTY COUNCIL
5 | Snohomish County, Washington

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7 | ORDINANCE NO. 08-078

8 |
9 | AN ORDINANCE ESTABLISHING AN ADOPT-A-ROAD PROGRAM AND ADDING
10 | CHAPTER 13.150 TO THE SNOHOMISH COUNTY CODE AND AMENDING SECTION
11 | 13.10.050 OF THE SNOHOMISH COUNTY CODE.
12 |

13 | WHEREAS, state law provides for the establishment of a statewide adopt-a-
14 | highway program by the department of transportation in RCW 47.40.100; and
15 | authorizes local government legislative authorities to enact local “adopt-a-highway sign”
16 | programs which are not inconsistent with state or federal law in RCW 47.40.105.
17 |

18 | WHEREAS, Snohomish County intends to establish a local adopt-a-road
19 | program as a partnership between citizen volunteers and the county to reduce roadside
20 | litter, enhance the quality of the environment, and build civic pride in a litter-free
21 | Snohomish County.
22 |

23 | NOW, THEREFORE, BE IT ORDAINED:

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25 | Section 1. Snohomish County Code Section 13.10.050, last amended by
26 | Ordinance No. 02-098 on December 9, 2002, is amended to read:
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28 | **13.10.050 Permit exemptions.**

29 | Right-of-way use permits will not be required:

30 | (1) For activities requiring a license or permit pursuant to the general business
31 | license and regulations code, Title 6, SCC. Applications which are expected to utilize
32 | right-of-way shall be reviewed and approved by the engineer before the issuance of any
33 | license or permit.

34 | (2) For franchised utilities when responding to emergencies that require work in the
35 | right-of-way such as water or sewer main breaks, gas leaks, downed power poles when
36 | the new placement is uniquely different from the original or similar emergencies;
37 | PROVIDED, That the department shall be notified by the responding utility, verbally or
38 | in writing, as soon as practicable following onset of an emergency and an appropriate
39 | right-of-way permit be applied for at that time.

40 | (3) For mailboxes or newspaper delivery receptacle, PROVIDED That the engineer
41 | may order such moved or removed if he/she believes such to be constructed or located
42 | so as to constitute an unsafe condition.

43 | (4) Where a separate agreement and/or approval is granted by the county council
44 | through the legislative process such as for franchise, establishment or vacation of right-
45 | of-way, easements or deeds. Application for permission with respect to the foregoing

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1 activities shall be required, received, and processed the same as one for a required
2 permit.

3 (5) For road maintenance activities and road construction projects undertaken by the
4 department of public works or under contract to the department of public works, except
5 that the engineer may require right-of-way use permits when the contract is for the
6 construction of improvements proposed by a developer. At the discretion of the
7 engineer, relocation of utilities to provide for activities and construction undertaken by or
8 under contract to the department may also be exempt when review and inspection will
9 be conducted as part of the department's policies.

10 (6) For temporary political signs. As public right-of-ways are found to be part of a
11 traditional public forum, temporary political signs may be placed within the county right-
12 of-way. PROVIDED, That:

13 (a) Such signs shall comply with all applicable provisions of the Revised Code of
14 Washington (RCW), including Chapter 29.51 RCW and Chapter 42.17 RCW, and the
15 provisions of SCC 30.27.070.

16 (b) Such signs shall not create a traffic safety hazard by obstructing sight
17 distance requirements in accordance with the Engineering Design and Development
18 Standards adopted under chapter 13.05 SCC, or block access for vehicles or
19 pedestrians.

20 (c) Such signs shall not be placed on or within the portion of the roadway used
21 for the passage or parking of vehicles or pedestrians.

22 (d) The name, address and telephone number of the persons responsible for sign
23 removal and maintenance shall be made known to the department of public works by
24 the registration of such person or organizations with the Snohomish County auditor and
25 by the portrayal of such information on every sign.

26 (e) If placed within a right-of-way area maintained by the abutting property owner,
27 or organization, permission must be obtained from such owner or organization prior to
28 sign placement.

29 (f) Such signs shall be freestanding, and not attached to any utility structure or
30 pole; traffic sign, device or guardrail; tree or shrub; or any other structure within the
31 right-of-way.

32 (g) The maintenance, removal, and liability due to placement of such signs shall
33 be the sole responsibility of the person(s) or organizations placing them. The county will
34 assume no responsibility nor liability for such signs, and reserves the right to remove,
35 without notice, signs not complying with this section.

36 (7) For litter control or other roadside improvement activities conducted under the
37 department of public works' adopt-a-road program.

38
39 Section 2. A new chapter is added to Title 13 of the Snohomish County Code to
40 read:

41
42 **Chapter 13.150**
43 **ADOPT-A-ROAD PROGRAM**

44
45 Sections:

46 13.150.010 Purpose of chapter.

- 1 13.150.020 Program established.
- 2 13.150.030 Eligibility to participate in program.
- 3 13.150.040 Adopted sections.
- 4 13.150.050 Administration of program.
- 5 13.150.060 Rights and activities of adjacent landowners.
- 6 13.150.070 Sunset.

7

8 **13.150.010 Purpose of chapter.**

9 The purpose of this chapter is to establish an adopt-a-road program for
10 Snohomish County to provide citizen volunteers with an opportunity to contribute to a
11 cleaner environment and enhanced roadsides.

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13 **13.150.020 Program established.**

14 There is hereby established an adopt-a-road program for Snohomish County to
15 encourage volunteer involvement and community service in the control and reduction of
16 litter and enhancement of general environmental quality along county roadways. The
17 program shall be administered by the department of public works. Participating
18 organizations shall adopt department-designated sections of county roads in
19 accordance with procedures adopted by the department. The program shall include, at
20 a minimum, litter control for the adopted section, and may include additional
21 responsibilities such as, planting and maintaining vegetation, controlling weeds, graffiti
22 removal, and other roadside improvement or clean-up activities that the department
23 deems appropriate.

24

25 **13.150.030 Eligibility to participate in program.**

26 (1) The director shall determine the eligibility of organizations to participate in the
27 program, provided that the eligibility determinations shall comply with subsection
28 13.150.030(2).

29 (2) An organization is not eligible to participate in the program if its name:
30 (a) Endorses or opposes a particular candidate for public office;
31 (b) Advocates a position on a specific political issue, initiative, referendum, or
32 piece of legislation; or
33 (c) Includes a reference to a political party.

34

35 **13.150.040 Adopted sections.**

36 Adopted sections shall be county roads. The department may, at its discretion,
37 determine that specific sections of county road are not appropriate for adoption.

38

39 **13.150.050 Administration of program.**

40 In administering the program, the department shall:

41 (1) Provide a standardized application form, registration form, and contractual
42 agreement for all participating organizations. The forms shall notify prospective
43 participants of the risks and responsibilities to be assumed by the participants and
44 department;

45 (2) Require all participants to be at least fifteen years of age;

46 (3) Require parental consent for all minors;

- 1 (4) Require at least one adult supervisor for every eight participating minors;
- 2 (5) Require one designated leader for each participating organization;
- 3 (6) Assign each participating organization a section or sections of county road for
- 4 a specified period of time;
- 5 (7) Recognize the efforts of a participating organization by fabricating and
- 6 installing signs with the organization's name on both ends of the organization's adopted
- 7 section. The signs shall follow a standard design determined by the department, and
- 8 shall conform to the applicable sections of the current edition of the Manual of Uniform
- 9 Traffic Control Devices published by the Federal Highway Administration;
- 10 (8) Provide appropriate safety equipment, which shall remain the property of the
- 11 county and be returned to the department after each use;
- 12 (9) Provide safety training materials and aids to participating organizations; and
- 13 (10) Establish procedures and guidelines for the program.

14
15 **13.150.060 Rights and activities of adjacent landowners.**

16 Nothing in this chapter affects the rights or activities of, or agreements with,
17 adjacent landowners, including the use of right-of-ways and crossings, nor impairs
18 these rights and uses by the placement of signs.

19
20 **13.150.070 Sunset.**

21 Snohomish County Code Chapter 13.150, adopted by this ordinance or as
22 amended after the effective date of this ordinance, is repealed, effective on the date six
23 years following enactment unless re-enacted prior to that date as provided in
24 Snohomish County Charter Section 2.115.

25
26 | PASSED this 25th day of June, 2008.

27
28 SNOHOMISH COUNTY COUNCIL
29 Snohomish County, Washington

30
31 | /s/ Dave Somers
32 Chairperson

33
34 ATTEST:

35
36 | /s/ Barbara Sikorski
37 Asst. Clerk of the Council

38
39 | ~~(X)~~ APPROVED

40
41 () EMERGENCY

42
43 () VETOED

44 | DATE: 6/27/08

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/s/ Mark Soine
Deputy Executive for County Executive

ATTEST:

/s/ Cora E. Palmer

Approved as to form only:

/s/ Catherine A. Drews
Deputy Prosecuting Attorney