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**Title:** AN ORDINANCE establishing a fee for requests to deactivate department of transportation trolleywire; and adding a new chapter to K.C.C. Title 4.

**Sponsors:** Larry Phillips

**Indexes:** Metro, transit, Transportation

**Code sections:**

**Attachments:** 1. 16943.pdf, 2. 2010-0512 Staff report - Trolleywire Fee, 3. 2010-0512 hearing notice.doc

Date	Ver.	Action By	Action	Result
10/4/2010	1	Metropolitan King County Council	Hearing Held	
10/4/2010	1	Metropolitan King County Council	Passed	Pass
9/14/2010	1	Environment and Transportation Committee	Recommended Do Pass	Pass
9/13/2010	1	Metropolitan King County Council	Introduced and Referred	

Clerk 09/10/2010

AN ORDINANCE establishing a fee for requests to deactivate department of transportation trolleywire; and adding a new chapter to K.C.C. Title 4.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

**SECTION 1. Findings:**

- A. Electric trolleybus routes are operated by King County throughout the city of Seattle.
- B. Periodic construction taking place along electric trolleybus routes requires de-energizing of the trolleybus wires and substitution of diesel buses on trolleybus routes.
- C. Neighbors notice increased levels of noise and air pollution when diesel buses run on electric trolleybus routes.
- D. While dieselization along routes is sometimes necessary to accommodate construction work,

minimizing unnecessary dieselization of routes can reduce the negative impacts to neighbors and the environment. With sufficient advance notice that a construction project will be cancelled, the transit division can avoid incurring some of the costs of unnecessary dieselization of a route and can limit unnecessary negative impacts to the neighborhood.

E. The transit division of the King County department of transportation incurs administrative and technical costs resulting from trolleywire deenergizing due to construction along these routes.

F. The transit division is facing revenue shortfalls that threaten cuts to existing bus service, and in this budgetary environment cost recovery is particularly critical.

G. It is in the best interest of the county, and by extension taxpayers, to recover these costs of dieselization of routes.

SECTION 2. A. Section 4 of this ordinance assesses a fee to deactivate trolleybus wires for work related to construction projects taking place along electric trolleybus routes.

B. This fee is assessed under K.C.C. 2.99.030.

SECTION 3. Section 4 of this ordinance should constitute a new chapter in K.C.C. Title 4.

NEW SECTION. SECTION 4. A. The transit division shall assess a one-thousand-dollar fee to process each request to deactivate trolleybus wires for work related to construction projects taking place along electric trolleybus routes. The fee shall be payable in advance by the applicant. One-half of the fee shall be refundable if the applicant provides the department with a cancellation notice in sufficient time for the department to reassign trolleybuses to the affected routes and avoid the cost to deactivate the trolleywires and provide diesel substitute service. Parties may be exempt from paying the fee if prior agreements with the county exist as of the effective date of this section.

B. In addition to the fee assessed under subsection A. of this section, the applicant shall also reimburse the transit division for actual costs incurred by the transit division to deactivate the trolleywires and provide diesel substitute service in excess of one thousand dollars.

C.1. The transit division shall establish by rule a procedure for collection of the fee assessed under subsection A. of this section, including provisions for advance payment and refunding the fee if the department receives a cancellation notice in time to avoid incurring additional actual costs to deactivate the trolleywires and provide diesel substitute service.

2. The transit division shall establish by rule a procedure for recovering the actual costs incurred by the division to deactivate the trolleywires and provide diesel substitute service, as authorized under subsection B. of this section.

Publish once 10 days prior

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