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**ORDINANCE NO. 430 - APPROVING A REQUEST BY THE WAITSBURG
CELEBRATION DAYS ASSOCIATION TO AMEND WALLA WALLA COUNTY
CODE TO ALLOW FOR WHEELED ALL-TERRAIN VEHICLE SPECIAL EVENT
PERMITS.**

Auditor File Number(s) of document being assigned or released:

Grantor

1. **Walla Walla County Commissioners**
- 2.
- 3.

Additional names on page ____ of document.

Grantee

1. **The Public**
- 2.
- 3.

Additional names on page ____ of document.

Legal description (i.e.: lot and block or section township and range)

n/a

Additional legal is on page ____ of document.

Assessors Parcel Numbers

n/a

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**BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON**

ORDINANCE NO. 430

APPROVING A REQUEST BY THE WAITSBURG CELEBRATION DAYS ASSOCIATION TO AMEND WALLA WALLA COUNTY CODE TO ALLOW FOR WHEELED ALL-TERRAIN VEHICLE SPECIAL EVENT PERMITS.

Whereas, RCW 46.09.455 restricts wheeled all-terrain vehicles from being used on public roadways in a County with a population of fifteen thousand or more, unless the County passes an ordinance allowing such uses; and

Whereas, RCW 46.09.455 restricts wheeled all-terrain vehicle use to roads with speed limits of 35 miles or less; and

Whereas, Walla Walla County has not passed an ordinance allowing wheeled all-terrain vehicles to be generally used on public roadways, and the Board of County Commissioners wishes to review the matter further before passing such an ordinance; and

Whereas, the Waitsburg Celebration Days Association has requested the County approve a proposed wheeled all-terrain vehicle special event near Waitsburg; and

Whereas, the County has no process to approve such a special event; and

Whereas, wheeled all-terrain vehicle events represent a possible recreation and commerce opportunity for Walla Walla County; and

Whereas, the route proposed by the Waitsburg Celebration Days Association has roads with a standard County speed limit of 50 miles per hour; and

Whereas, the County engineer has the authority to lower speed limits on a temporary basis under Walla Walla County Code (WWCC) 10.04.001 for special conditions; and

Whereas the following findings of fact and conclusions of law are hereby made:

Findings of Fact:

1. On February 12, 2015 a Notice of Public Hearing was published in the Waitsburg Times.

Conclusions of Law:

Page 1 of 4

Ordinance No. 430



1. The proposed new Walla Walla County Code Chapter 10.30 is necessary to regulate public health, safety and welfare in Walla Walla County.
2. The proposed new Walla Walla County Code Chapter 10.30 will provide a uniform process for allowing wheeled all-terrain vehicle events, while protecting public safety and limiting fiscal impacts to the County.

WHEREAS, the Board of County Commissioners held a public hearing on February 23, 2015 for the purpose of receiving testimony for and/or against the proposed changes to the Walla Walla County Code,

NOW THEREFORE,

BE IT ORDAINED, by the Walla Walla County Board of County Commissioners that, based on the findings of fact and conclusions of law above, new Walla Walla County Code Chapter 10.30 is enacted, and the Walla Walla County Code is amended as follows.

Section 1. New Walla Walla County Code Chapter 10.30 is enacted as follows:

10.30.010 Wheeled All-Terrain Vehicle Usage

Wheeled all-terrain vehicles (WATV) may utilize County public roadways only as authorized by a WATV special event permit granted by the County Commissioners. All participants in a WATV special event shall comply with state law, including, but not limited to, RCW 46.09.

10.30.020 Wheeled All-Terrain Vehicle Special Event Permit

A. The County Commissioners may grant, by resolution, a WATV Special Event Permit.

B. Application requirements for the special event permit shall include:

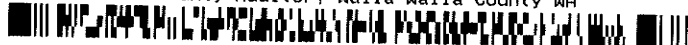
1. Proof of liability insurance, naming the County as additional insured, in a form and amount acceptable by the County Risk Manager and Prosecuting Attorney's office.

2. Description and a highlighted map of proposed roads to be used, showing current speed limits of the roads.

3. Time and date of event, and maximum number of participants.

4. Contact information of organizer, including address, e-mail and phone number(s) where organizer or other responsible person can be reached during proposed event.

5. Applications must be received a minimum of 45 days prior to the proposed event.



6. Other requirements as determined by the Board of County Commissioners.

C. The application shall be reviewed by the Walla Walla County Public Works Department, the Walla Walla County Sheriff's Office and the County Risk Manager.

D. Conditions of a special event permit that the Board may impose may include:

1. Advance payment of any County Public Works employee, County Sheriff's Deputy for supplemental law enforcement services, or other County employee time necessitated by the permit.

2. Pilot cars, certified flaggers, headlight requirements or other safety requirements.

3. Restricted speed limits, maximum WATV numbers, route restrictions or other limitations deemed necessary by the Board of County Commissioners. In no event may participants exceed 35 miles per hour.

4. Liability waivers to be signed by all participants.

5. Publication, by the permittee, of notice of the event in a newspaper of general circulation in the area of the event.

6. Event signage to be removed promptly.

E. By state law, WATVs may only operate on public roadways with a speed limit of 35 miles per less. In the event that the WATV Special Event Permit's proposed route includes roads with a speed limit exceeding 35 miles per hour, the Board may authorize such roads to be utilized, under the condition that the road(s)' speed limit(s) be temporarily lowered to 35 miles per hour or less. Such authorization shall allow the County Engineer to temporarily lower the speed limits pursuant to WWCC 10.04.001. The speed limits shall be effective only once temporary speed signage is placed by the County Engineer, or, if approved by the Board, once signage is placed by the permittee. Speed limit signage shall be removed promptly after the event has concluded, either by the County Engineer, or if approved by the Board, by the permittee. Any County Engineer staff time spent placing and removing signage shall be paid to the County pursuant to Subsection D 1 of this section.

Section 2. Effective Date. This ordinance is effective immediately upon adoption.

Section 3. Savings and Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 4. Publication. This ordinance will be published by an approved summary consisting of the title.

PASSED by the Walla Walla County Board of County Commissioners in regular session at Walla Walla, Washington, then signed by its membership and attested by its Clerk in authorization of such passage this 23rd day of February, 2015.



Attest:

Connie R Vinti
Connie R. Vinti, Clerk of the Board

Perry L Dozier
Perry L. Dozier, Chairman, District 2

James K. Johnson
James K. Johnson, Commissioner, District 1

James L. Duncan
James L. Duncan, Commissioner, District 3

Constituting the Board of County Commissioners
of Walla Walla County, Washington



Approved as to form

Jesse D. Nolte
Jesse D. Nolte, Deputy Prosecuting Attorney