

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Eric Schlehuber	ELS	5/16/97	RECEIVED MAY 28 1997 WHATCOM COUNTY COUNCIL	06/03/97	Council
Division Head:	ELS	5/16/97			
Dept. Head: Jeff Monsen	JM	5/22			
Prosecutor: Randy Watts	RW	5/22/97			
Purchasing/Budget:					
Executive: Pete Kremen	PK	5-27			

SUBJECT:

Whatcom County Ferry Rates - Annual Review; and proposed Ferry Ordinance

ATTACHMENTS:

Cover memorandum, with attachments
Proposed Ordinance

SUMMARY STATEMENT: *Please complete sections of box as appropriate & explain the item below.*

Related County contract #: N/A	Should Clerk schedule a hearing? NO / <input checked="" type="checkbox"/> / YES / <input type="checkbox"/> / Requested date:
Amount budgeted for this item/project:	Is it (or will it be) within budget? YES / <input type="checkbox"/> / NO / <input type="checkbox"/> / (Please explain below)
Budget line item number(s):	

Ordinance 89-103, adopted November 16, 1989, established Whatcom County ferry rates. It was amended in 1991 by Ordinance 91-046 (filed under AB92-168) and again in 1993 by Ordinance 93-040 (filed under AB93-152A). Those rates will remain in effect until changed by an action of the County Council.

The 1989 ordinance also says, "It is the intent of this rate schedule to recover approximately 55 percent of the cost of the ferry operation, exclusive of dock maintenance and operation. **Annually the Council shall review this rate schedule at its first meeting in June in order to determine whether additional rate adjustments are necessary to carry out this intent.**" [Emphasis added]. The Executive and his staff have been asked to prepare an analysis of ferry costs and revenues to assist the Council in making this determination.

An ordinance is proposed to consolidate previous ordinances, to direct establishment of fares through the Unified Fee Schedule, and to require that children under the age of twelve years be accompanied by an adult.

ORIGINATOR'S RECOMMENDED ACTION:

- "I move that the Council affirm that the Whatcom County ferry rate schedule is appropriate, and introduce an ordinance to consolidate previous ordinances, to direct establishment of fares through the Unified Fee Schedule, and to require that children under the age of twelve years be accompanied by an adult." (proposed ordinance attached)

- or -

- "I move that the Council request the Administration to prepare a recommendation that will revise the fee schedule as appropriate, and introduce an ordinance to consolidate previous ordinances, to direct establishment of fares through the Unified Fee Schedule, and to require that children under the age of twelve years be accompanied by an adult." (proposed ordinance attached)

COUNCIL ACTION TAKEN:

1997 - 209 6/3/97: Introduced
6/17/97: Adopted 7 - 0. Ord. #97-029

Ordinance or Resolution Number (this item only): **Ord. # 97-029**

- 1 Motorcycle
- 2 Bicycle
- 3 Children under 12 years when accompanied by an adult
- 4 Resident school children 12-18 years during local school year

- 5 Trailers & Motor homes:
- 6 Up to 16 feet long
- 7 16 to 30 feet long
- 8 Over 30 feet long

9 (Trailers shall include, but not be limited to, ball hitches, military hitches, fifth
10 wheel in bed of pickup, dump trailers, recreation trailers and mobile homes.)

11 Special Trips

12 (Special trips are a surcharge in addition to the applicable fare.)

13 Fuel Trucks

14 (A weekly run limited to fuel trucks, charged at the regular rate, shall be
15 scheduled by the Public Works Department and published appropriately.)

16 Heavy machinery and motor homes shall be charged at the corresponding vehicle rate.

17 Logging trailers carried on trucks shall be charged regular round-trip rates based on
18 legal licensed load.

19 Over width vehicles or trailers occupying more than one lane shall be charged a 50%
20 surcharge. In addition, the towing vehicles shall be charged a 50% surcharge.

21 MULTIRIDE CARDS - 25 ROUND TRIPS

- 22 Driver/passenger/pedestrian
- 23 Senior/student driver/passenger/ pedestrian 12-22 years
- 24 Senior vehicle (under 8,001 lbs)
- 25 Vehicle: under 8001 lbs
- 26 Motorcycle
- 27 Vehicle (under 8001 lbs) and driver
- 28 Motorcycle and driver

29 (Student multiride cards shall be sold to full-time students only. Proof of age
30 and enrollment shall be required at the time of purchase.)

1 COMMUTER PASSES

2 Quarterly vehicle and driver commuter passes may be purchased. A commuter pass allows
3 unlimited trips for a vehicle and driver for three (3) months and shall be permanently affixed
4 in full view of the ferry crew. This pass may be prorated down in cost by the County to
5 reflect time lost during scheduled ferry and dock overhaul periods.

6 BE IT FURTHER ORDAINED that the following miscellaneous provisions apply:

7 MISCELLANEOUS PROVISIONS

- 8 A) County vehicles shall either pay cash or purchase multiride cards and such revenues
9 shall be credited to the fare income account of the ferry. Should the County elect to
10 handle such usage by account transfer, such incomes shall be credited to fare income as
11 described above.
- 12 B) Enrolled members of the Lummi Indian Tribe who are issued appropriate identification
13 cards by the Tribe and who have legitimate tribal business upon Lummi Island, as
14 indicated by the Lummi Indian Tribe, shall have free foot passage upon and across the
15 ferry operated by Whatcom County between Gooseberry Point and Lummi Island. On
16 or before June 30 of each year, the Lummi Indian Tribe shall transmit a list of such
17 members to Whatcom County. This list may be supplemented at any time.
- 18 C) It is the intent that rates listed in the Unified Fee Schedule will recover approximately
19 55% of the cost of the ferry operation, exclusive of dock maintenance and operation.
20 Annually the Council shall review this rate schedule at its first meeting in June in order
21 to determine whether additional rate adjustments are necessary to carry out this intent.
- 22 D) Unauthorized use of any card or commuter pass will result in its confiscation.
- 23 E) Senior citizens as referred to herein are residents of Lummi Island, 65 years or older,
24 with a gross family income equal to or less than that set by the State as the senior
25 deferral income for property taxes. Proof of qualification is the responsibility of the
26 applicant and may include income tax returns or property tax exemptions.
- 27 F) Multiride cards shall be valid until rates change. Credit for multiride cards purchased
28 after October 1 may be received at the Courthouse towards cards for the following year
29 until January 31 of that year.
- 30 G) A surcharge shall be charged on vehicles with a licensed gross vehicle weight equal to
31 or greater than 36,001 pounds. The surcharge is designated for dock maintenance and
32 therefore will be included in ferry fare revenue for purposes of determining the
33 percentage of annual cost of ferry operations supported by fares.


1 H) All children under the age of twelve years when traveling on the Whatcom County
2 ferry must be accompanied by an adult. An exception to this policy will be made only
3 if the adult parent or guardian signs a waiver exempting Whatcom County from all
4 liabilities for any and all injuries, loss of life, etc. while the child is traveling on the
5 ferry; and

6 NOW, THEREFORE, BE IT FURTHER ORDAINED by the Whatcom County
7 Council that Ordinances 89-103, 91-046 and 93-040 be repealed in their entirety and be
8 replaced by this Ordinance.

9 ADOPTED this 17 day of June, 1997.

10
11 ATTEST:


WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


12 
13 Dana Brown-Davis, County Clerk


L. Ward Nelson, Council Chair

14 APPROVED AS TO FORM:

Approved Denied

15 
16 Civil Deputy Prosecutor


Pete Kremen, County Executive
Date: 6-23-97