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4 WHATCOM COUNTY COUNCIL  
5 **Public Works and Safety Committee**  
6

7 April 13, 2010  
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11 **CALL TO ORDER**  
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13 Committee Chair Barbara Brenner called the meeting to order at 1:30 p.m. in the  
14 Council Chambers, 311 Grand Avenue, Bellingham, Washington.  
15

16  
17 **ROLL CALL**  
18

19 **Present:** Barbara Brenner, Ken Mann and Carl Weimer.  
20 **Absent:** None.  
21 **Also Present:** None.  
22

23  
24 **COMMITTEE DISCUSSION**  
25

26 **1. ORDINANCE AMENDING, ON AN INTERIM BASIS, WHATCOM COUNTY CODE**  
27 **10.44, HORSES ON CERTAIN ROADS (AB2010-145A)**  
28

29 Joe Rutan, Public Works Department, gave a staff report and stated the bike lane in  
30 Birch Bay was never adopted. There was federal funding to create the bike lane, but those  
31 federal records aren't kept for more than three years. Therefore, it is currently a bike  
32 route, not a bike lane.  
33

34 Discussion included the bike lane versus a bike route; whether they should remove  
35 the bike lane symbol; State insurance and licensing requirements; where to submit the plan  
36 of operation; leaving the "no horses" signs in place; deciding how to sign the area, and;  
37 adopting the shorter version of the ordinance.  
38

39 The following people spoke:

- 40
- 41 • Bill Elfo, County Sheriff, suggested changes. Don't require the Sheriff's Office  
42 to do inspections.
  - 43 • Roger Edmunds, 8491 Blaine Road, Blaine, stated he plans to run the service  
44 from 7:00 p.m. to 9:30 p.m. in the evenings. He can pull over if cars get  
45 behind him. The State licensing and permitting requirements are ambiguous.  
46 The driver needs to carry a Washington State driver's license.

47 Brenner stated Public Works Engineering staff will set conditions that will be  
48 monitored by the Public Works Department. Rutan stated the use can be administered  
49 under a road waive use permit called a "right-of-way use permit."  
50

51 ***Brenner moved*** to amend Whatcom County Code section 10.44.025, "This chapter  
52 does not apply to for-hire horse drawn carriage rides that operate ~~between the hours of 2~~

1 ~~PM on Sunday to 2 PM on Friday~~ Monday through Thursday after 6 p.m. and Sunday  
2 between the hours of 2 and 4 p.m. on Birch Bay Drive...."

3  
4 The motion to amend carried by the following vote:

5 **Ayes:** Brenner, Mann and Weimer (3)

6 **Nays:** None (0)

7  
8 **Weimer moved** to amend section 10.44.025, "... Harborview Road and Alderson  
9 Road, ~~which have obtained an approved plan of operations from the Whatcom County~~  
10 Sheriff ~~which have obtained an approved right-of-way use permit from the Whatcom County~~  
11 ~~Public Works Department.~~ The ~~plan of operations permit~~ will at a minimum include a  
12 description...."

13  
14 The motion to amend carried by the following vote:

15 **Ayes:** Brenner, Mann and Weimer (3)

16 **Nays:** None (0)

17  
18 The following person spoke:

- 19 • Doralee Booth, 8188 Birch Bay Drive, stated this will be one more thing to  
20 watch for on Birch Bay Drive. They're used to that. Regarding the bike path,  
21 no one is using it as just a bike lane. It's not functioning as solely a bike  
22 lane. Birch Bay residents aren't going to say much if they see a horse and  
23 carriage pull over in the bike lane. Regarding dogs, there is a leash law, but  
24 people love to let their dogs loose. She asked what will happen if dogs come  
25 up to the horse. Another issue is sirens. She prefers that the ordinance be  
26 as simple as possible. People can cross the double yellow line to make room  
27 for others. It's a safety factor. To the residents, it means slow down and be  
28 careful.

29  
30 Discussion included whether the horse would be startled by things like dogs and  
31 other distractions; posting signs about the dog leash law at the beach; the traffic pattern on  
32 Birch Bay Drive in the summer; the presence of ice cream trucks, and; No Horse signs in  
33 the summer.

34  
35 Rutan stated leave the No Horse signs up all year, so it doesn't become a horse  
36 route. During the interim, think about how they need to sign the area.

37  
38 **Mann moved** to recommend introduction as amended to the full Council.

39  
40 The motion carried by the following vote:

41 **Ayes:** Brenner, Mann and Weimer (3)

42 **Nays:** None (0)

43  
44  
45 **OTHER BUSINESS**

46  
47 There was no other business.

1 **ADJOURN**

2

3 The meeting adjourned at 2:09 p.m.

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Bill Nixon - Minutes Transcription

8 Please contact the Council Office to obtain an  
9 official, signed copy:  
10 360-676-6690 or council@co.whatcom.wa.us  
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16 Dana Brown-Davis, Council Clerk

Barbara Brenner, Committee Chair

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