

August 9, 1993
RDCLOS18.ORD

Introduced by: Bruce Laing

Proposed No.: 91 - 222

ORDINANCE NO.

10962

1
2 AN ORDINANCE relating to petitions for the
3 closure of King County roads, establishing
4 the procedures for determining road
5 closures, and defining appeals procedures
6 for road closure petition denials.

7 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

8 SECTION 1. Road Closure Petitions - Authority. The
9 department of public works shall be responsible for receiving
10 and processing all road closure petitions, and for determining
11 whether or not the roads identified in the petition shall be
12 closed. The authority to make and issue said determinations
13 shall be vested in the director, department of public works.

14 SECTION 2. Road Closure Petitions - Filing. A. Petitions
15 to close King County roads shall be filed with the director,
16 department of public works.

17 B. Said petitions shall include: the names, signatures and
18 legal addresses of the persons filing the petition; the
19 location of the roads or streets which the petitioners wish to
20 have closed, including the intersections delineating the
21 boundaries of the road or street sections to be closed; a map
22 depicting the road or street sections requested to be closed;
23 and the reasons for petitioning for closure of the street or
24 road. Other information or documents as the petitioners deem
25 pertinent may be included. Petitions for road closures shall
26 include the names and signatures of at least a simple majority
27 of the owners of property residing along the section(s) of road
28 being petitioned for closure and the signatures of at least ten
29 percent of the owners of property being served by arterial
30 roads and neighborhood collector streets to which traffic would
31 be diverted within a distance of 660 feet from the road section
32 petitioned for closure.

33 C. Reasons for petitioning the County for the closure of a
34 road shall be limited to safety hazards posed to pedestrians,
35 contiguous real property, and/or traffic such as, but not

1 limited to, traffic speeds, volume, or types of vehicle using
2 the road or street, the adequacy of road signage, and road
3 design considerations.

4 D. Petitioners shall submit whatever quantitative or other
5 analyses they may possess in support of their petition, such as
6 traffic volumes or counts, or numbers of accidents which have
7 occurred on the road or street petitioned to be closed.

8 SECTION 3. Road Closure Petitions - Determination. A. The
9 director, department of public works, shall do the following
10 upon the receipt of a petition for road closure:

11 1. Acknowledge in writing within ten calendar days the
12 receipt of the petition.

13 2. Refer the petition to the County road engineer for
14 investigation, determination, and for the making of a
15 recommendation on road closure to the director.

16 B. The County road engineer's recommendation shall be
17 submitted to the director in writing no later than sixty days
18 after the receipt of the petition.

19 C. The director shall notify the petitioners in writing of
20 his decision within ten days of the receipt of the County road
21 engineer's recommendation on the road closure petition. Said
22 notification shall delineate the process for appealing a denial
23 of a petition to close a County road.

24 D. The director may reject the petition for road closure or
25 may determine that the portion of the road specified in the
26 petition is to be fully closed, closed to through traffic only,
27 open to emergency vehicles only, closed in one direction only,
28 closed to certain types of vehicles or temporarily closed in
29 one of the ways specified.

30 E. In addition to making a determination on the merits of
31 the road closure petition, the director may also identify
32 safety measures for the area defined by the road closure
33 petition as an alternative to road closure and may implement
34 those road safety-related mitigations.

1 SECTION 4. The decision of the director to close a County
2 road shall be forwarded to the Council for consideration and
3 adoption by ordinance, unless an appeal of the director's
4 decision is filed pursuant to the requirements of Section 8 of
5 this ordinance.

6 SECTION 5. The director may consider a request for road
7 closure which is not in conformance with the petition
8 provisions of Section 2 of this ordinance from any person. The
9 decision of the director on such a request shall not be subject
10 to the provisions of Sections 3 and 7 of this ordinance.

11 SECTION 6. Nothing in this ordinance shall be construed to
12 abrogate or abridge the powers of the County road engineer to
13 temporarily or permanently close county roads, as may be
14 authorized by law.

15 SECTION 7. The director shall promulgate rules under the
16 procedures set forth in K.C.C. 2.98 implementing the provisions
17 of this ordinance including, but not limited to, establishing
18 administrative procedures and criteria for the evaluation of
19 road closure petitions. Such rules shall not go into effect
20 until they are reviewed and approved by the council. Such rules
21 shall be transmitted to the council for its consideration and
22 action no later than December 31, 1993.

23 SECTION 8. Road Closure Petitions - Appeals. A. The
24 decision of the director on a petition submitted under Section
25 2 of this ordinance may be appealed by any aggrieved person to
26 the zoning and subdivision examiner pursuant to the provisions
27 of K.C.C. Chapter 20.24. Such appeals shall be filed with the
28 department of public works no more than ten days following the
29 date of issuance of the director's written road closure
30 petition determination.

31 B. The decision of the director shall be affirmed unless it
32 is arbitrary and capricious when considered pursuant to the
33 criteria established by the director.

1 C. The hearing examiner shall conduct a public hearing and
2 make a recommendation to the County council pursuant to the
3 provisions of K.C.C. 20.24.070 based upon the findings and
4 conclusions.

5 INTRODUCED AND READ for the first time this 11th day
6 of March, 1991.

7 PASSED this 9th day of August, 1993.

8 KING COUNTY COUNCIL
9 KING COUNTY, WASHINGTON

10 Audrey Luger
11 Chair

12 ATTEST:

13 Gerald A. Peterson
14 Clerk of the Council

15 APPROVED this 20th day of AUGUST, 1993.

16 Jim Hill
17 King County Executive
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