

**ORDINANCE NO. 2014-09-055**

**AN ORDINANCE AMENDING ORDINANCE NO. 8527 TO PROVIDE FOR THE FULL-TIME CLOSURE OF A SEGMENT OF HIGH STREET LOCATED ON THE WESTERN WASHINGTON UNIVERSITY CAMPUS.**

**WHEREAS**, City of Bellingham ("City") Ordinance No. 8527, which was enacted in 1976 at the request of Western Washington University ("University"), provides for the part-time closure of a segment of High Street located on the University's campus, between Oak Street and Highland Drive, to promote the safety of pedestrians; and

**WHEREAS**, University officials have requested permission from the City to extend the street closure to full time to accommodate the safety of increased pedestrian and multi-modal transportation through the campus corridor; and

**WHEREAS**, the affected portion of High Street would continue to remain open to University and public transit vehicles, vehicles licensed and officially designated as emergency vehicles, including police and fire, college maintenance and support vehicles, and bicycles; and

**WHEREAS**, University and City officials have received support from both the Sehome and South Hill Neighborhood Associations for the proposal to extend the closure to full time.

**NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:**

Ordinance No. 8527 is hereby amended as follows:

**Section 1.** That portion of High Street lying between the intersection of Oak Street and a point 350 feet northeasterly of Highland Drive is hereby restricted as follows to ~~private vehicular traffic under the following conditions:~~

The subject portion of High Street shall be closed to vehicular traffic ~~between the hours of 7:00 a.m. and 9:00 p.m. daily, during regular and summer academic quarters~~

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~~and for the five days preceding such sessions. Such portion of High Street shall, however, be open to vehicles at all hours on Saturdays and Sundays and on state holidays; Provided, however, that City public transit vehicles, vehicles licensed and officially designated as emergency vehicles, including police and fire, college maintenance and support vehicles, and bicycles shall not be subject to such prohibition.~~

**Section 2.** The Director of Public Works is hereby authorized to allow the use of that portion of High Street described above for circulation of private vehicular traffic at such time during the winter months, as s/he believes weather conditions require, as an alternate route to access to citizens of the area. In such event emergency access signs shall be placed at conspicuous places upon the street.

**Section 3.** ~~The University is Western Washington State College, upon the effective date of this ordinance, is hereby authorized to place informational signs and traffic diversion devices within the said street right-of-way of High Street, so as to most effectively effectuate the purposes of this ordinance. All devices and/or signs placed upon the demised street right-of-way by the College shall be done under the direction of the Director of Public Works with specific approval therefor.~~

**Section 4.** All costs relating to the modification and/or placement of diversion devices upon that portion of High Street described in Section 1 above, exclusive of the cost of street striping and the placement of regulating signs, shall be borne by the University~~Western Washington State College.~~

**Section 5.** The Bellingham City Council hereby finds that the pedestrian use of the referenced portion of High Street by students and college personnel of the University~~Western Washington University State College on those days and during those times,~~

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~~referenced in Section 1 above~~, is such that the real property upon which the said right-of-way is located is ~~hereby declared to be~~ devoted mainly to the educational and research activities of the ~~College~~University, ~~subject to the following conditions:~~

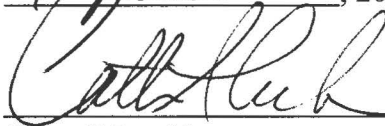
**Section 6.** The following conditions apply:

- a. The City of Bellingham reserves the right to repeal or amend at any time this ordinance or any portion thereof and any and all authority granted to the University ~~Western Washington State College~~ hereunder.
- ~~b.~~ Should the portion of Garden Street effected by this ordinance, in the judgment of the ~~Public Works Director~~, reach "level of service D" as defined in the ~~Transportation and Traffic Engineering Handbook published by the Institute of Traffic Engineers, 1976~~, for prolonged periods of time during the hours and days set forth in Section 1, then, pursuant to sub-section "a" above, this ordinance shall be brought before the Council for amendment or repeal.
- ~~e.~~b. The City of Bellingham ~~hereby~~ acknowledges the authority of the University ~~Western Washington State College~~ to adopt rules pursuant to RCW 286B.10.560 to regulate pedestrian and vehicular traffic on the subject portion of High Street, provided, that such rules are consistent with the terms of this ordinance.
- ~~d.~~c. ~~The University~~ ~~Western Washington State College~~ shall have no authority to restrict this utilization of the subject portion of High Street by ~~City~~ Transit vehicles or by vehicles which are licensed as emergency vehicles or officially designated as emergency vehicles, or to limit the access of private vehicles to High Street when authorized by the Public Works Director in the winter months under the conditions set forth in Section 2 above.

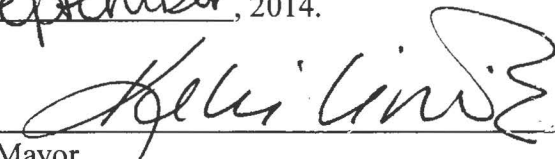
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**Section 6.** Persons found to be in violation of the regulations of this ordinance shall be guilty of a misdemeanor, which shall be punishable by the imposition of a fine of not more than \$300.00.

PASSED by the Council this 22<sup>nd</sup> day of September, 2014.

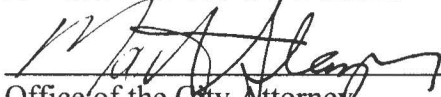
  
\_\_\_\_\_  
Council President

APPROVED by me this 30<sup>th</sup> day of September, 2014.

  
\_\_\_\_\_  
Mayor

ATTEST:   
\_\_\_\_\_  
Finance Director

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Office of the City Attorney

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