

RESOLUTION NO. 326

A RESOLUTION BY THE TOWN OF ORO VALLEY APPROVING A
UNIFORM TRAVEL REDUCTION ORDINANCE
INTERGOVERNMENTAL AGREEMENT AND AUTHORIZING ITS
EXECUTION.

WHEREAS, the Town of Oro Valley is authorized pursuant
to A.R.S. § 49-402(C) to take certain steps to improve the
regional air quality in Pima County; and

WHEREAS, representatives of the Town of Oro Valley, in
conjunction with Pima County, the City of Tucson, the City of
South Tucson and Town of Marana have jointly determined that
the attached Intergovernmental Agreement will address the
regional air quality in Pima County.

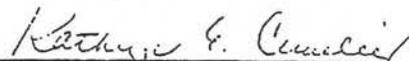
NOW, THEREFORE, BE IT RESOLVED that the Mayor of the
Town of Oro Valley is hereby authorized to execute any and
all documents necessary to enter into that Travel Reduction
Ordinance Intergovernmental Agreement which is attached
hereto.

PASSED AND ADOPTED by the Town Council of the Town of
Oro Valley, Arizona, this 23rd day of March, 1988.



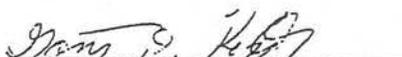
E. S. ENGLE, MAYOR

ATTEST:



Kathryn Cuvelier, Town Clerk

APPROVED AS TO FORM:



Gary D. Kidd, Town Attorney

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RESOLUTION NO. 327

A RESOLUTION ESTABLISHING A TRAVEL REDUCTION CODE FOR THE TOWN OF ORO VALLEY AS A PUBLIC DOCUMENT.

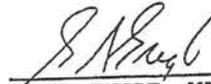
WHEREAS, the Town of Oro Valley is authorized pursuant to A.R.S. § 49-402(C) to take certain steps to improve the regional air quality in Pima County; and

WHEREAS, the Town Council has determined that the Town of Oro Valley Travel Reduction Code will adequately address the regional air quality in Pima County.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council hereby approves and adopts the attached document as the Town of Oro Valley Travel Reduction Code and establishes the same as a public record.

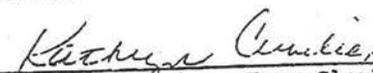
BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to maintain a minimum of three copies of the Travel Reduction Code for inspection by the public.

PASSED AND ADOPTED by the Town Council of the Town of Oro Valley, Arizona, this 23rd day of March, 1988.



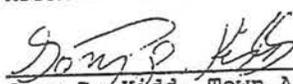
E. S. ENGLE, MAYOR

ATTEST:



Kathryn Cuvellier, Town Clerk

APPROVED AS TO FORM:



Gary D. Kidd, Town Attorney

BEST AVAILABLE ORIGINAL

ORDINANCE NO. 162

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ADOPTING A TRAVEL REDUCTION CODE.

WHEREAS, the Town of Oro Valley, pursuant to A.R.S. § 49-402(C), is authorized to take certain steps to improve regional air quality in Pima County; and

WHEREAS, the Town Council of the Town of Oro Valley has determined that the Town of Oro Valley Travel Reduction Code will address the regional air quality in Pima County in furtherance of regional air quality objectives.

WHEREAS, pursuant to resolution, the Town of Oro Valley has made the Town of Oro Valley Travel Reduction Ordinance a public record.

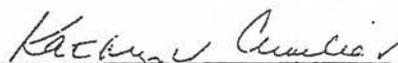
NOW, THEREFORE, BE IT ORDAINED, that the Town Council of the Town of Oro Valley hereby approves and adopts the attached document as the Town of Oro Valley Travel Reduction Code.

BE IT FURTHER ORDAINED, that the Town Clerk is hereby directed and authorized to maintain a minimum of three (3) copies of the Travel Reduction Code for inspection by the public.

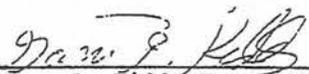
PASSED AND ADOPTED this 23rd day of March, 1988, by the Oro Valley Town Council.


E. S. ENGLE, MAYOR

ATTEST:


Kathryn Cuvelier, Town Clerk

APPROVED AS TO FORM:


Gary D. Kidd, Town Attorney

REVIEWED BY:


Jon L. Devner, Town Manager

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TOWN OF ORO VALLEY

TRAVEL REDUCTION CODE

THIS CODE BY THE TOWN OF ORO VALLEY SHALL PROVIDE FOR THE IMPROVEMENT OF REGIONAL AIR QUALITY THROUGH THE DEVELOPMENT OF PLANS BY MAJOR EMPLOYERS TO REDUCE THE NUMBER OF VEHICLE MILES TRAVELED BY THEIR EMPLOYEES FROM THEIR HOMES TO THEIR WORK PLACES. THIS CODE AND ITS ADOPTING ORDINANCE ARE BEING ADOPTED PURSUANT TO AUTHORITY PROVIDED IN A.R.S. §49-402(c) Air Quality Control.

ARTICLE I GENERAL PROVISIONS

A. SHORT TITLE

This Code shall be known as the "Travel Reduction Code."

B. PURPOSE

The purpose of this Code, recognizing that motor vehicles are the single greatest contributor to air pollution, is to improve air quality and reduce traffic congestion within the incorporated and unincorporated areas of Pima County by increasing Alternate Mode usage and reducing overall motor vehicle travel for commute trips. This Code shall establish a basis for a cooperative effort of the local

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jurisdictions to achieve a uniform program for reduction of work related trips by employees working for major employers subject to this regulation.

ARTICLE II DEFINITIONS

A. DEFINITIONS

1. "Airshed" means that area delineated on the map attached as Exhibit "A".
2. "Alternate Mode" means any mode of commute transportation other than the single occupancy motor vehicle.
3. "Approvable Travel Reduction Plan" means a plan submitted by a major employer that meets the requirements as set forth in Article V.
4. "Carpool" or "Vanpool" means two or more persons traveling in a light duty vehicle (car, truck or van) to or from work.
5. "Commute Trip" means a trip taken by an employee to or from work within the airshed.
6. "Commuter Matching Service" means any system, whether it uses computer or manual methods, which assists in matching employees for the purpose of sharing rides to reduce drive alone travel.
7. "Employer" means a sole proprietor, partnership, corporation, unincorporated association, cooperative, joint venture, agency, department, district or other individual or entity, either public or private, that employs workers. See also "Major Employer" and "Voluntary Employer".

8. "Full Time Equivalent (FTE) employees" means the number of employees an employer would have if the employer's work needs were satisfied by employees working forty hour work weeks. The number of full time equivalent employees for any employer is calculated by dividing the total number of annual work hours paid by the employer, by 2080 work hours in a year.
9. "Local Jurisdictions" includes Pima County, City of Tucson, Town of Marana, Town of Oro Valley and City of South Tucson.
10. "Major Employer" means an Employer who employs one hundred or more full time equivalent employees at a work site during a twenty-four hour period for at least 6 months during the year.
11. "Mode" means the type of conveyance used in transportation including single occupancy motor vehicle, rideshare vehicle (carpool or vanpool), transit, bicycle, and walking.
12. "Motor Vehicle" means any vehicle propelled by a motor: including car, van, bus, motorcycle, and all other motorized vehicles.
13. "Public Agency" means any political subdivision of this state and any board, commission or agency thereof.
14. "Public Interest Group" means any nonprofit group whose purpose is to further the welfare of the community.
15. "Regional Program" means the combination of all implemented plans within the airshed combination.
16. "Ridesharing" means transportation of more than one person

for commute purposes, in a motor vehicle, with or without the assistance of a commuter matching service.

17. "Transit" means a bus or other public conveyance system.

18. "Transportation Coordinator" means a person designated by an employer, property manager, or transportation management association as the lead person in developing and implementing a Travel Reduction Plan.

19. "Transportation Management Association" (TMA) means a group of employers or associations formally organized to seek solutions for transportation problems experienced by the group.

20. "Travel Reduction Plan" means a written report outlining Travel Reduction Measures which will be submitted annually by each Major Employer.

21. "Travel Reduction Program" means a program, implementing a travel reduction plan by an employer, designed to achieve a predetermined level of travel reduction through various incentives and disincentives.

22. "Travel Reduction Program Regional Task Force" means that Task Force established pursuant to the Intergovernmental Agreement to be entered into by the local jurisdictions.

23. "Vanpool" see "Carpool".

24. "Vehicle Occupancy" means the number of occupants in a motor vehicle including the driver.

25. "Vehicle Miles Traveled" (VMT) means the number of miles traveled by a motor vehicle for commute trips.

26. "Work Site" means a building or any grouping of buildings located within the Town of Oro Valley which are on physically contiguous parcels of land or on parcels separated solely by private or public roadways or rights-of-way, and which are owned or operated by the same employer.

B. ABBREVIATIONS

As utilized in this Code, the following shall have the indicated meanings:

- A. PAG - Pima Association of Governments
- B. TMA - Transportation Management Association
- C. TRO - Travel Reduction Ordinance and Code
- D. TRP - Travel Reduction Program
- E. VMT - Vehicle Miles Traveled

ARTICLE III JURISDICTION/LEAD AGENCY

A. POWERS AND DUTIES

A. The Governing Body of the Town of Oro Valley shall designate an individual or individuals who shall be denominated as Lead Agency for Jurisdiction, shall evaluate Major Employers' TRP plans received from the TRP Task Force. The Lead Agency shall have 45 days to object to any such plan received, otherwise the plan is automatically approved. Any such objection shall be based upon the criteria set forth in Article V of this code. If the Lead Agency objects, the plan is not approved and shall be returned to

the TRP Task Force with appropriate comments for review and revision in consultation with the employer.

B. The Lead Agency shall receive recommendations for enforcement from the TRP Task Force. The Lead Agency shall determine when enforcement action is appropriate and shall take such action as it deems necessary.

ARTICLE IV APPLICABILITY

- A. The provisions of this code shall apply to all Major Employers.
- B. Voluntary participation.

Employers or groups of employers with less than 100 full time equivalent employees at a single work site are encouraged to participate in data collection and information dissemination efforts and in the preparation of their own travel reduction plans on a voluntary basis. These groups shall be assisted by the TRP Task Force, the TRP Technical Advisory Committee and TRP staff, and shall be eligible for participation in all programs and services. Groups of employers are encouraged to form Transportation Management Associations.

ARTICLE V REQUIREMENTS FOR EMPLOYERS

- A. Requirements for Major Employers

In each year of the regional program each Major Employer shall:

- A. Provide each regular employee with information on Alternate Mode options and Travel Reduction Measures including, but not limited to: Sun Tran bus routes and schedules, the RideShare program, and bicycle routes. This information shall also be provided to new employees at the time of hiring.
- B. Participate in a survey and reporting effort, forms for which will be provided by the TRP Task Force.
- C. The results of this survey shall form a baseline against which attainment of the targets in paragraph E of this section shall be measured as follows:
- (1) The baseline for participation in alternative modes of transportation shall be based on the total number of employees.
 - (2) The baseline for VMT shall be the average VMT per employee for employees not residing on the work site.
- D. Prepare and submit a Travel Reduction Plan for submittal to TRP staff and presentation to the TRP Task Force. TRP staff will assist in preparing the Plan. Major Employers shall submit plans within nine weeks after they receive survey data results. The Plan shall contain the following elements:
- (1) The name of the designated Transportation Coordinator.

(2) A description of employee information programs and other Travel Reduction Measures which have been completed in the previous year.

(3) A description of Travel Reduction Measures to be undertaken by the Major Employer in the coming year.

The following measures may be included:

- (a) A commuter matching service, in addition to or coordinated with PAG's RideShare Program, to facilitate employee ridesharing for work trips.
- (b) Provision of vans for vanpooling.
- (c) Subsidized carpooling or vanpooling which may include payment for fuel, insurance or parking.
- (d) Use of company vehicles for carpooling.
- (e) Provision of preferential parking for carpool or vanpool users which may include close-in parking or covered parking facilities.
- (f) Cooperation with Sun Tran or other transportation providers to provide additional regular or express service buses to the work site.
- (g) Subsidized bus fares.
- (h) Construction of special loading and unloading facilities for transit and carpool and vanpool users.
- (i) Cooperation with local jurisdictions to

construct walkways or bicycle routes to the work site.

(j) Provision of bicycle racks, lockers, and showers for employees who walk or bicycle to and from work.

(k) Provision of a special information center where information on Alternate Modes and other Travel Reduction Measures will be available.

(l) Establishment of a work-at-home program, full or part time, for employees.

(m) Establishment of a program of adjusted work hours which may include compressed work weeks and employee-selected starting and stopping hours. Work hour adjustments should not interfere with or discourage the use of ridesharing and transit.

(n) Establishment of a program of parking incentives and disincentives; such as a fee for parking and/or a "rebate" for employees who do not use the parking facility.

(o) Incentives to encourage employees to live closer to work.

(p) Implementation of other measures designed to reduce commute trips such as the provision of day care facilities or emergency taxi services.

E. An Approvable Travel Reduction Plan shall meet all of the following criteria:

1. The plan shall designate a Transportation Coordinator.
2. The plan shall describe a mechanism for regular distribution of Alternate Mode transportation information to employees.
3. For employers who in any year, meet or exceed annual regional targets for travel reduction, the plan shall accurately and completely describe current and planned Travel Reduction Measures.
4. For employers who, in any year, fall below the regional targets for travel reduction, the plan shall include commitments to implement:
 - (a) At least two specific travel reduction measures (such as those described in Article V. C. (3) of this Ordinance) in the first year of the regional program.
 - (b) At least three specific Alternate Modes incentives programs (such as those described in Article V. C. (3) of this Ordinance) in the second year of the regional program.
5. After the second year, the Travel Reduction Program Task Force shall review the Travel Reduction Programs

for employers not meeting regional targets and may recommend additional measures.

F. Employers shall implement all Travel Reduction Measures considered necessary by the Task Force to attain the following target employee participation in Alternate Modes or commuter trip VMT Reductions per regulated work site.

1. 15% of the total employee pool in the first year of the Regional Program
2. 20 % of the total employee pool in the second year of the Regional Program
3. 25% of the total employee pool in the third year of the Regional Program

G. After the third year of the Regional Program, either:

1. An increase in employee participation in Alternate Modes of 1% per year for each subsequent year until 40% of all commute trips are made by Alternate Modes; or:
2. Alternatively, a reduction in average annual VMT per employee of 1.5% per year can be selected by a Major Employer after a 25% Alternate Mode or commuter trip VMT Reduction usage is achieved.

ARTICLE VI VARIANCES AND APPEALS

A. VARIANCES

1. The TRP Task Force shall serve as a hearing board for Major

Employers requesting variances from all or part of TRP ordinance requirements and/or Travel Reduction Plan scheduling.

2. Any Major Employer wishing a variance from any of the requirements of this chapter shall make written application to the TRP Task Force which will determine whether to recommend the variance. The recommendation will be forwarded within forty-five days to Lead Agency which will or will not authorize the variance. Request for variances shall be finally approved or disapproved within 90 days of the filing of a request by an employer.

B. APPEALS

1. Any affected Major Employer may appeal a decision of the Lead Agency to authorize or withhold variances or a decision of the Lead Agency regarding enforcement or other provision of this ordinance.

2. The Governing Body will hear and decide the appeal. If the decision is to disapprove the plan, the plan shall be returned to the TRP Task Force for review and revision or to the Lead Agency for appropriate action.

ARTICLE VII ENFORCEMENT

A. The Lead Agency, upon determining a substantial violation of this ordinance, shall request the Town of Oro Valley's Attorney to take appropriate legal action.

B. Violations of any of the following requirements may subject a Major Employer to enforcement actions.

1. Failure to collect or supply information requested by the TRP Task Force.
 2. Failure to disseminate information on Alternate Modes and other Travel Reduction Measures as specified herein.
 3. Failure to designate a Transportation Coordinator.
 4. Failure to submit an approvable Travel Reduction Plan.
 5. Failure to implement an approved plan within the time schedule provided or failure to perform a revision of a plan as required by the TRP Task Force.
- C. Failure by a Major Employer to meet travel reduction goals as defined in Article V(E) and (F) shall not constitute a violation provided that the Major Employer is attempting in good faith to meet the goals.
- D. A violation of any provision of this ordinance is a petty offense. Each day the violation continues shall constitute a separate offense.

violation provided that the Major Employer is attempting in good faith to meet the goals.

D. Except as provided above any Employer who violates the requirements of this chapter shall be guilty of a civil infraction.

This ordinance shall be effective from and after approval of a cooperative agreement entered into by Pima County, City of Tucson, Pima Association of Governments, Town of Oro Valley, City of South Tucson and the Town of Marana.

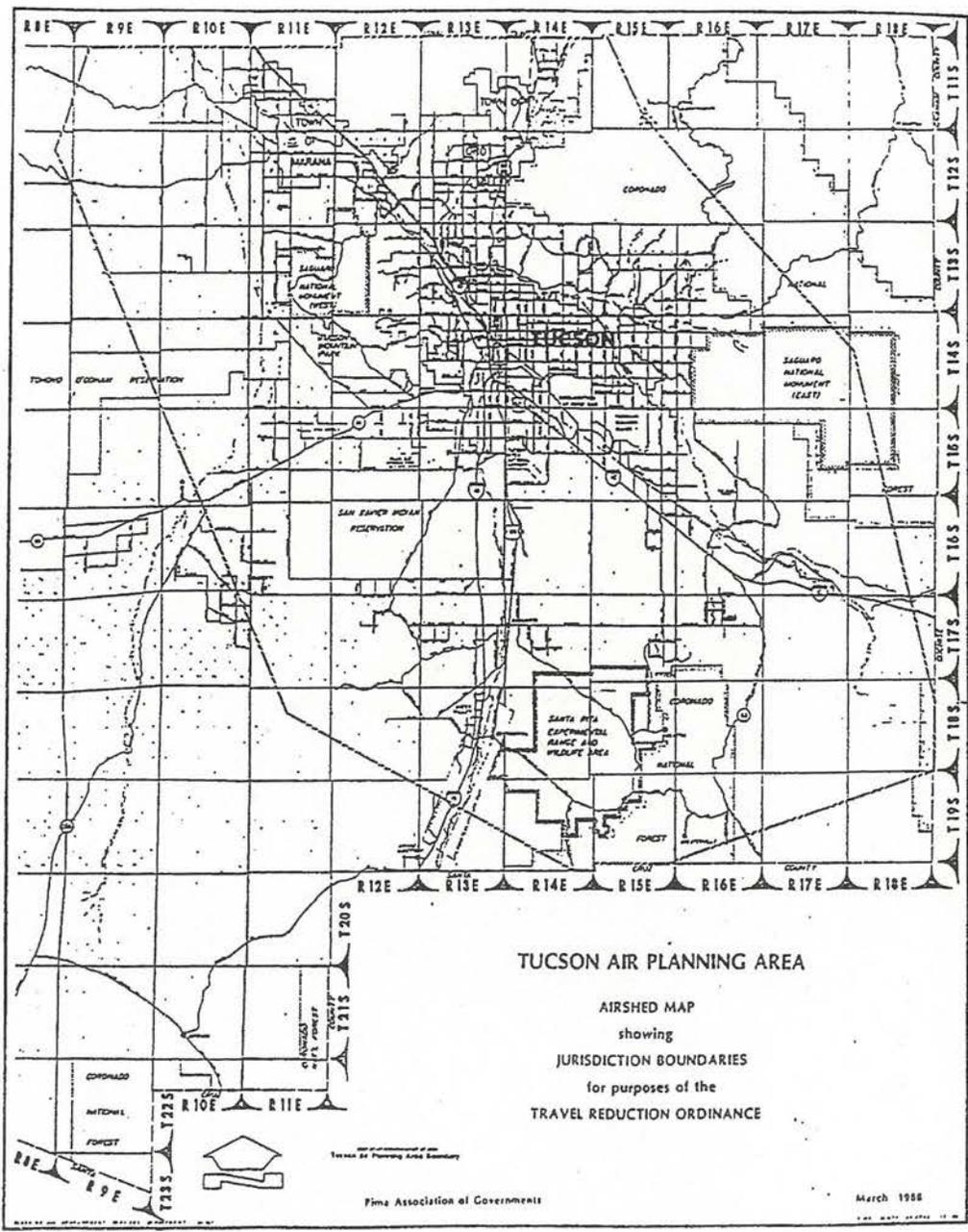


Exhibit A

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