



REVISED

**City of Port Orchard Council Work Study Session
September 17, 2019
6:30 p.m.**

Mayor:

Rob Putaansuu
Administrative Official

Councilmembers:

Bek Ashby (Mayor Pro-Tempore)
Chair: ED/Tourism/LT Committee
Staff: Development Director
Finance Committee
KRCC / PSRC TransPol / KRCC TransPol
KRCC PlanPol-alt / PRTPO

Shawn Cucciardi
Finance Committee
Land Use Committee
PSRC EDD-alt

Fred Chang
Utilities Committee
Sewer Advisory Committee (SAC)
Staff: Public Works Director

Jay Rosapepe
ED/Tourism/LT Committee
Utilities Committee
Chair: Lodging Tax Committee
Sewer Advisory Committee (SAC)
KRCC-alt / KRCC TransPol-alt
Kitsap Transit-alt

John Clauson
Chair: Finance Committee
Staff: Finance Director
Kitsap Public Health District-alt
KEDA/KADA-alt

Cindy Lucarelli
Chair: Utilities and SAC Committee
Staff: Public Works Director
Chair: Chimes and Lights Committee
Staff: City Clerk
KEDA/KADA

Scott Diener
Chair: Land Use Committee
Staff: Development Director
ED/Tourism/LT Committee
PSRC Growth Mgmt-alt

Department Directors:

Nicholas Bond, AICP
Development Director
Mark Dorsey, P.E.
Director of Public Works/City Engineer

Tim Drury
Municipal Court Judge

Noah Crocker, M.B.A.
Finance Director

Matt Brown
Police Chief

Brandy Rinearson, MMC, CPRO
City Clerk

Contact us:

216 Prospect Street
Port Orchard, WA 98366
(360) 876-4407

1. [Proposed Ban on Sales of Puppies and Kittens](#) (Council) **Page 3**
Estimated Time: 20 Minutes
2. [Bay Street Pedestrian Pathway](#) (Dorsey) **Page 23**
Estimated Time: 60 Minutes
3. [Updating Speed Limits on Certain Roads \(POMC 10.08\)](#) (Bond) **Page 25**
Estimated Time: 15 Minutes

EXECUTIVE SESSION: Pursuant to RCW 42.30.110, the City Council will hold a 15-minute executive session regarding potential litigation.

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City of Port Orchard Work Study Session Executive Summary

REVISED

Issue Title: Proposed Ban on Sales of Puppies and Kittens
Meeting Date: September 17, 2019
Time Required: 20 Minutes
Attendees: None

Action Requested At This Meeting: Present information on the ban of sales of puppies and kittens to Council and ask if they would like to include the ban within the Port Orchard Municipal Code.

Issue: The City has been approached by citizens and organizations asking if they could include the ban on sales of puppies and kittens within the POMC.

Background: On August 4, 2019, Theresa Donnelly reached out to the City Clerk asking to put the puppy mill and sales of puppies and kitties initiative back on the City's agenda. On August 13, 2019, the City Clerk asked if Council would consider the ban of sales of puppies and kittens. Council directed this item be brought forward to you tonight, and Councilmember Cucciardi asked to see an estimate of staff and attorney time to bring this item forward and through its completion.

Recommendation: N/A

Follow-up Notes & Outcomes:

Attachments: POMC 7.16 'Pet Shops, Animal Shelters and Boarding Kennels' and email dated August 4, 2019, with supporting documents.

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**Chapter 7.16
PET SHOPS, ANIMAL SHELTERS AND BOARDING KENNELS**

Sections:

[7.16.010 Pet shop and/or animal shelter/ boarding kennel – License required.](#)

[7.16.020 License expiration.](#)

[7.16.030 License fees.](#)

[7.16.040 Additional license fee.](#)

[7.16.050 Proration of license fee.](#)

[7.16.060 License application.](#)

[7.16.070 License issuance.](#)

[7.16.080 Operation requirements.](#)

[7.16.090 Facility requirements.](#)

[7.16.100 Inspections.](#)

[7.16.110 Revocation.](#)

7.16.010 Pet shop and/or animal shelter/ boarding kennel – License required.

A pet shop, animal shelter, and/or boarding kennel shall be licensed annually before or during the month of July or within 30 days prior to commencement of operation. (Ord. 1750 § 7, 1999).

7.16.020 License expiration.

Licenses issued pursuant to this section shall expire on June 30th of each year. (Ord. 1750 § 7, 1999).

7.16.030 License fees.

License fees shall be as follows:

- (1) Pet shop: \$100.00 plus a \$25.00 inspection fee for new applications;
- (2) Animal shelter: \$100.00 plus a \$25.00 inspection fee for new applications;
- (3) Boarding kennel: \$100.00 plus a \$25.00 inspection fee for new applications. (Ord. 1750 § 7, 1999).

7.16.040 Additional license fee.

If a license is not obtained by July 31st, there shall be an additional license fee of \$25.00. (Ord. 1750 § 7, 1999).

7.16.050 Proration of license fee.

Upon commencement of operation, the initial license fee for a pet shop, animal shelter, and/or boarding kennel shall be prorated according to the number of months remaining in the license year. (Ord. 1750 § 7, 1999).

7.16.060 License application.

A license application for a pet shop, animal shelter, and/or boarding kennel shall be made to the animal control authority and shall contain the following:

- (1) Name, address, and telephone number of the owner or operator of the facility, and the name and address of the facility;
- (2) The type of license sought and a brief description of the magnitude and nature of the contemplated operation;
- (3) A written statement from:
 - (a) The city's planning department that the proposed operation conforms to the city's uniform building code and all other land use regulations;
 - (b) The city financial department confirming the proposed operation conforms to the city's business license code; and
 - (c) The Kitsap County health district. (Ord. 1750 § 7, 1999).

7.16.070 License issuance.

The animal control authority shall issue the license or renewal thereof if the license fee is paid, if the application meets the requirements of POMC [7.16.060](#), and if, upon inspection, the operation or contemplated operation meets or will meet the requirements of POMC [7.16.010](#), [7.16.080](#) and [7.16.090](#). The license shall contain its expiration date and shall be prominently displayed at the place of operation. (Ord. 1750 § 7, 1999).

7.16.080 Operation requirements.

- (1) Proper diet, fresh potable water, shelter, and medical attention shall be provided to all animals.
- (2) Food shall be stored in a fashion, which prevents contamination or infestation.
- (3) The facilities shall be maintained and operated in a healthful, sanitary manner free from disease, infestation and foul odors.
- (4) Sick animals shall be isolated from healthy animals in quarters adequately ventilated to prevent

contamination of healthy animals.

(5) Animals shall receive adequate food, water, and care on days when the facility is not open for business.

(6) Animals shall be immunized from disease as is usual and customary for the animal's age and species.

(7) Ownership of animal offered for sale: the owner/manager of the pet shop shall maintain written documentation of the source of all animals offered on consignment or otherwise being sold for compensation at a pet shop. Such documentation shall include a copy of the valid commercial kennel license for the source at time of breeding and disbursement. Records of all animals, reptiles, fish, or other animals offered for sale shall be readily available to enforcement and licensing agencies. (Ord. 1750 § 7, 1999).

7.16.090 Facility requirements.

(1) Animal housing facilities shall be structurally sound, in good repair, designed to protect the animals from injury and shall provide sufficient security to contain the animals while preventing entry of unwanted animals.

(2) The facilities shall include a washroom with sinks for hot and cold running water.

(3) Indoor facilities shall:

(a) Be heated or cooled to protect the animals from temperatures to which they are not acclimated; and

(b) Be adequately ventilated; and

(c) Have interior walls, ceilings and floors, which are sealed and are resistant to absorption of moisture or odors; and

(d) Have flooring with an impervious surface that can be sanitized and which slopes no less than one-fourth inch to the foot; and

(e) Have a drainage system, which is connected to a septic system or sanitary sewer to facilitate cleaning; and

(f) Provide housing properly designed for each species to allow for adequate movement and ability to stretch.

(4) Outdoor facilities shall:

(a) Provide shelter and protection from adverse weather; and

(b) Provide sufficient room for adequate exercise and movement; and

(c) Have flooring with an impervious surface that can be sanitized; and

(d) Have a drainage system, which is connected to a septic system or sanitary sewer to facilitate cleaning.

(5) Provide housing properly designed for each species. (Ord. 1750 § 7, 1999).

7.16.100 Inspections.

The animal control authority shall inspect existing or proposed pet shops and/or animal shelters in connection with its licensing investigation and when inspections are necessary to insure compliance with this chapter. Inspections shall be made during regular business hours. Copies of United States Department of Agriculture documents relating to “exotic animals” shall be made available to animal control authorities on request. (Ord. 1750 § 7, 1999).

7.16.110 Revocation.

The animal control authority may revoke a license issued pursuant to this chapter if the licensed pet shop, boarding kennel, and/or animal shelter is operating in violation of POMC [7.16.010](#), [7.16.080](#), or [7.16.090](#). (Ord. 1750 § 7, 1999).

From: [Theresa Donnelly](#)
To: [CityClerk Mailbox](#)
Cc: [Bek Ashby](#); [Rob Putaansuu](#); [kim siebens](#); [Fred Chang](#)
Subject: Re: Revisiting Port Orchard Retail Pet Sale Ban
Date: Sunday, August 04, 2019 8:02:26 AM

Hello Port Orchard City Clerk,

I just wanted to follow up to kindly ask if you could please put this initiative back on the city agenda meeting.

There's a plethora of research from Kitsap County that I can pass along if need be that demonstrates that the USDA does not adequately protect puppies and kittens in high-volume facilities.

This preventative approach would keep these sellers from setting up shop in Port Orchard. The only pet seller in Kitsap sourced from a breeder in Kansas with more than 1,000 animals and numerous UDSA violations before the USDA stopped issuing violations and instead blacked out public records and initiated "teachable moments."

This article explains more:

<https://blog.humanesociety.org/2019/06/breaking-news-key-house-committee-federal-court-direct-usda-to-release-crucial-animal-welfare-records.html>

Thank you for taking the time to read this, and have a good day.

Sincerely,
Theresa Carpenter

On Jul 23, 2019, at 1:17 PM, Theresa Carpenter <tdonnellypao@gmail.com> wrote:

Sir/Ma'am,

Councilmember Ashby recommended I reach out to you as per below. I'm interested in putting the retail pet sale ordinance back on the agenda for a vote. You may recall we explored this issue last year, and since then Gig Harbor and Kitsap County have passed measures, but your city is NOT protected. We hope to change that and create a humane and safe place in Port Orchard for pets and people alike.

Would you be willing to work with myself and Kim Siebens (cc'd) on the way forward? Please let me know your thoughts and if you want a copy of the ordinance passed yesterday in Kitsap County as a guide. I look forward to hearing from you and seeing this come before a vote.

Thank you!
Theresa Carpenter
Board Member, Their Voice

----- Forwarded message -----

From: **Bek Ashby** <bashby@cityofportorchard.us>

Date: Tue, Jul 23, 2019 at 10:47 AM
Subject: Re: Revisiting Port Orchard Retail Pet Sale Ban
To: Theresa Carpenter <tdonnellypao@gmail.com>
Cc: Fred Chang <fchang@cityofportorchard.us>, Rob Putaansuu <rputaansuu@cityofportorchard.us>

The retail pet sales ban is an issue which would be considered by the entire city council. Please contact the mayor or city clerks office for information on your options for continued discussion.

Bek Ashby

City Council Member

Please be aware that emails which pertain to City business may be considered public records and may be subject to public disclosure laws. If you think you have received this email message in error, please notify the sender via email or telephone at 360-731-0778.

From: Theresa Carpenter <tdonnellypao@gmail.com>
Sent: Tuesday, July 23, 2019 10:37:54 AM
To: Bek Ashby <bashby@cityofportorchard.us>
Cc: Fred Chang <fchang@cityofportorchard.us>; Rob Putaansuu <rputaansuu@cityofportorchard.us>
Subject: Revisiting Port Orchard Retail Pet Sale Ban

Councilmember Ashby,

Hello ma'am, Theresa Carpenter (formally Donnelly). I'm a board member for Their Voice and one of the advocates that testified in your city last year. I'm sure you saw the news that Kitsap County passed the retail pet sale ban. This is great news, but does not protect your city from unscrupulous business owners looking to set up a puppy store there.

Would you be willing to pass an ordinance in Port Orchard? There is model language from the county and many other cities in the area.

BTW, I'm he one who dropped off the book *That Puppy in the Window* to your office that day: <https://www.amazon.com/Doggie-Window-Factory-Uncover-Puppies/dp/1492651826>

I hope you had a chance to read this very objective piece of reporting. It educated me on this issue so profoundly and left me knowing that local level change was

the best place to start.

Thanks so much, and thank you for serving your community. I'm an active duty naval officer myself, and the call to serve on causes bigger than me is quite strong!

Sincerely,

Theresa Carpenter



Fact Sheet: Puppy Mills and Pet Stores

A majority of Americans has pets. About 47 percent of households in the United States own at least one dog and about 46 percent own a cat. Only about 30 percent of pets in homes come from shelters or rescues. 2.7 million adoptable dogs and cats are euthanized in shelters every year.¹

Pet store puppies come from puppy mills. Responsible breeders do not sell their puppies to pet stores because they want to meet their puppy buyers in person—and a majority of national breed clubs' Codes of Ethics prohibit or discourage their members from selling their dogs to pet stores. The suppliers of pet store puppies are largely “puppy mills,” commercial facilities that mass-produce puppies for sale. The Humane Society of the United States conducted several hidden-camera investigations² which revealed that many of the breeding facilities that supply pet stores are mills.

Puppies sold in pet stores come from all over the country—and many come from breeders with one or more Animal Welfare Act violations. Some breeders found selling to pet stores have a record of repeat violations of the federal Animal Welfare Act. USDA inspection reports contained reports of significant violations, including sick and injured dogs who had not been treated by a vet, underweight dogs, puppies with their feet falling through the wire floors, puppies with severe eye deformities, piles of feces and food contaminated by mold and insects.

Pet stores often do not disclose the origin of the puppies they sell. Most pet stores do not disclose the true origins of their puppies, instead using deceptive sales pitches about “USDA licensed” or “professional” breeders. Unfortunately, the federal Animal Welfare Act provides survival standards for dogs, not humane care standards. The USDA has repeatedly asserted that their regulations and standards are *minimum* requirements.³ Indeed, the agency's own Animal Welfare Act Fact Sheet⁴ states *“Although Federal requirements establish acceptable standards, they are not ideal. Regulated businesses are encouraged to exceed the specified minimum standards.”*

Puppies sold at pet stores often have serious health or psychological problems. Some of the illnesses common to pet store puppies include zoonotic diseases which can be spread to other pets and humans. Buyers are often faced with enormous vet bills or even the death of the puppy within days or weeks of purchase. A puppy may seem healthy for months only to develop symptoms of serious congenital conditions much later. These health problems are often the result of poor breeding at puppy mills.

Pet stores do not have to sell puppies to be successful. More than 2,300 pet stores nationwide have signed an HSUS pledge not to sell puppies,⁵ demonstrating that it is possible to have a successful pet-related business without supporting puppy mills.

¹ “Pets by the Numbers”: U.S. pet-ownership estimates from the APPA for 2012. Can be found at:

http://www.humanesociety.org/issues/pet_overpopulation/facts/pet_ownership_statistics.html#.U2EF81VdWAg

² Chicagoland Pet Store Investigation Links Dozens of Puppy Sellers to Puppy Mills. Dec. 2012. Can be found at:

http://www.humanesociety.org/assets/pdfs/pets/puppy_mills/report-hsus-chicago-pet-stores-2012investigates.pdf

³ See 7 U.S.C. § 2143(A)(8), stating that the federal Animal Welfare Act does not preempt state laws.

⁴ U.S. Department of Agriculture, Animal Plant and Health Inspection Service, “Fact Sheet: Animal Care. The Animal Welfare Act,” in <http://ca-biomed.org/pdf/media-kit/oversight/USDAAWA.pdf> (accessed 5 Dec, 2013).

⁵ Puppy Friendly Pet Stores. 2013. Can be found at:

http://www.humanesociety.org/issues/puppy_mills/facts/puppy_friendly_pet_stores.html#.U2ErT1VdWAg

ORDINANCE NO. _____ (REDLINE REPLACEMENT ORDINANCE 9/xx/2019)

AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, AMENDING CERTAIN SECTIONS OF TITLE 7 (“ANIMALS”) OF THE PORT ORCHARD MUNICIPAL CODE TO PROHIBIT THE SALE OF DOGS AND CATS OBTAINED FROM “PUPPY MILLS” OR “KITTEN MILLS”; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City Council has determined that it is in the best interests of the City of Port Orchard to amend certain sections of Title 7 of the Port Orchard Municipal Code, entitled “Animals”, to prohibit the sale of dogs and cats in pet shops, in an effort to reduce costs to the City and its residents, protect the citizens of the City who may purchase dogs and cats from a pet shop that have been supplied from puppy mills or kitten mills, help prevent inhumane breeding conditions, promote community awareness of animal welfare, and foster a more healthy and humane environment in the City; and

WHEREAS, a significant number of puppies and kittens sold at pet shops come from commercial breeding facilities where the health and welfare of the animals are not adequately provided for ("puppy mills" and "kitten mills," respectively). According to The Humane Society of the United States, it is estimated that 10,000 puppy mills produce more than 2,400,000 puppies a year in the United States and that most pet shop dogs and cats come from puppy mills and kitten mills; and

WHEREAS, the documented abuses endemic to puppy and kitten mills include: over-breeding; inbreeding; minimal to non-existent veterinary care; lack of adequate and nutritious food, water and shelter; lack of sanitation; lack of socialization; lack of adequate space; and lack of adequate exercise; and

WHEREAS, the inhumane conditions in puppy and kitten mill facilities lead to health and behavioral issues in the animals bred in those facilities, which many consumers are unaware of when purchasing animals from pet shops due to both a lack of education on the issue and misleading tactics of pet shops in some cases. These health and behavioral issues, which may not present themselves until sometime after the purchase of the animals, can impose exorbitant financial and emotional costs on consumers; and

WHEREAS, according to the U.S. Centers for Disease Control and Prevention, pet shop puppies may pose a health risk to consumers, as over one hundred Americans have contracted an antibiotic-resistant *Campylobacter* infection from contact with pet shop puppies; and

WHEREAS, current federal and Washington State regulations do not adequately address the sale of animals in pet shops; and

WHEREAS, this ordinance will not affect consumers' ability to obtain dogs and cats from an animal welfare organization, rescue group, or from a breeder where the consumer can see directly the conditions in which the cats and dogs are bred, or can confer directly with the breeder concerning those conditions; **NOW THEREFORE**,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. Port Orchard Municipal Code Section 7.01.010 ("Definitions") is hereby amended as follows (deleted text in ~~strikethrough~~; new text in underline):

7.01.010 Definitions.

Within the provisions of this title, the following definitions shall apply:

(1) "Animal" is a female, spayed female, male or neutered male animal, including any goat, horse, mule, cattle, swine or other domestic livestock used or raised on a farm, and any living vertebrate creature including reptiles or birds and excluding any marine mammals, fish or man. Animal also includes dogs or cats unless specifically excluded.

(2) "Animal control authority" means the Kitsap Humane Society or other agency or organization designated as the animal control authority in an animal control services agreement.

(3) "Abandonment" means the owner has left the animal for a period of 24 hours without making effective provisions for its proper care.

(4) "Adequate shelter" means a moisture proof and wind proof structure that allows the animal to turn around freely, sit easily, stand and lie normally, and that keeps the animal clean, dry and comfortable.

(5) "At large" is off the premises of the owner or keeper of the dog, or animal, and not under restraint by leash or chain or not otherwise controlled by a competent person.

(6) "Boarding kennel" means a commercial establishment with the purpose of keeping, caring for, and/or boarding dogs and or cats. No animals shall be offered for sale and no breeding for commercial sale shall occur on the premises.

(7) "Broker" means a person that transfers a dog or cat from a commercial kennel or mill for resale by another person.

~~(78)~~ "Cat" is a female, spayed female, male, or neutered male cat.

~~(89)~~ "Commercial kennel" means an establishment for the breeding and/or sale of dogs and/or cats.

~~(910)~~ "Court" means Port Orchard municipal court.

~~(1011)~~ "Dangerous animal" means any animal that:

- (a) Inflicts severe injury on a human being without provocation on public or private property;
- (b) Kills a domestic animal without provocation while the attacking animal is off the owner's property; or
- (c) Has been previously found to be potentially dangerous because of injury inflicted on a human, the owner having received notice of such, and the animal again aggressively bites, attacks, or endangers the safety of humans.

This definition shall not include a police dog as defined in RCW 4.24.410.

~~(1112)~~ "Dog" is a female, spayed female, male or neutered male dog.

~~(1213)~~ "Dog handler" means a law enforcement officer who has successfully completed training as prescribed by the Washington State Criminal Justice Training Commission in police dog handling.

~~(1314)~~ "Domestic livestock" means any male or female hoofed animal.

~~(1415)~~ "Grooming parlor" means any place, establishment, store or department of any store, that handles live dogs and/or cats and offers to bathe, trim, or groom the animal in any manner.

~~(1516)~~ "Hobby kennel" means a noncommercial residential kennel with the purpose of keeping dogs and or cats owned by one individual. A hobby kennel is limited to a maximum of 10 dogs and/or cats.

~~(1718)~~ "Inhumane treatment" means every act, omission, or neglect whereby unnecessary or unjustified physical pain or suffering is caused or permitted.

~~(1718)~~ "Local law enforcement officer" means the police chief or his/her designee.

(19) "Mill – puppy or kitten" means an establishment that breeds dogs and/or cats for sale, typically on an intensive basis and in conditions regarded as inhumane in which profit is prioritized over the well being of the animals and/or where the health and welfare of the animals are not adequately provided for.

~~(1820)~~ "Neglect" means the failure to provide proper food, potable water, adequate shelter, opportunity for exercise, or other care normal, usual, and proper for an animal's health and well being.

(21) "Offer for adoption" means to allow showcasing of animals for adoption by bonafide animal care and control agencies as defined in RCW 16.52.011, or animal rescue groups, where the adoption is handled in-person by that agency or group.

(22) "Offer for sale" means to sell, rent, lease, offer for sale or consignment, advertise for the sale, rent, or lease of, barter, auction, give away, or otherwise dispose of a live animal.

~~(1923)~~ "Owner" is any person or entity that controls, maintains, possesses, has

custody of, or otherwise provides care, shelter, protection, restraint, refuge, food, or nourishment in such a manner as to control an animal's activities.

~~(2024)~~ "Pet shop" is any place, establishment, store, or department of any store, that handles live animals, including dogs, cats, rabbits, birds, reptiles, other fowl, or fish, and offers to sell or rent to the public such animals at retail or wholesale.

~~(2125)~~ "Police dog" means a dog used by a law enforcement agency specially trained for law enforcement work and under the control of a dog handler.

~~(2226)~~ "Provocation" means teasing, taunting, striking or other like action, or the unauthorized entry onto the premises where an animal is kept.

~~(2327)~~ "Potentially dangerous" means an animal that, when unprovoked:

- (a) Chases or approaches a person upon the streets, sidewalks or any other public grounds in a menacing fashion or apparent attitude of attack;
- (b) Causes injury to or otherwise threatens the safety of a human or domestic animal; or
- (c) Inflicts a bite upon a human or domestic animal either on public or private property.

~~(2428)~~ "Secure enclosure" means a chain link enclosure consisting of secure sides and a secure top, or if without top, having sides which are at least eight feet high, and with a floor permanently attached to the sides, or having sides which are embedded at least one foot into the ground, and which is constructed of such material and closed in such manner that the animal(s) cannot exit on their own.

~~(2529)~~ "Severe injury" means any physical injury that results in broken bones or disfiguring lacerations requiring multiple sutures or cosmetic surgery.

~~(2630)~~ "Stray" is any animal loitering in a neighborhood or any public place without an apparent owner or home.

~~(2731)~~ "Under control" means the animal is under voice and/or signal control so as to be thereby restrained from approaching any bystander or other animal or from causing or being the cause of physical or property damage when off a leash or off the premises of the owner.

~~(2832)~~ The present tense shall include the past and future tenses, and the future, the present. Each gender shall include all genders. The singular number shall include the plural and the singular.

Whenever a power is granted to or a duty is imposed upon the humane society, poundmaster or other public officer, the power may be exercised or the duty may be performed by a deputy of the officer or by a person authorized pursuant to the law by the officer unless this chapter expressly provides otherwise.

SECTION 2. Port Orchard Municipal Code Section 7.16.080 ("Operation requirements") is hereby amended as follows (new text in underline):

7.16.080 Operation requirements.

- (1) Proper diet, fresh potable water, shelter, and medical attention shall be provided to all animals.
- (2) Food shall be stored in a fashion, which prevents contamination or infestation.
- (3) The facilities shall be maintained and operated in a healthful, sanitary manner free from disease, infestation and foul odors.
- (4) Sick animals shall be isolated from healthy animals in quarters adequately ventilated to prevent contamination of healthy animals.
- (5) Animals shall receive adequate food, water, and care on days when the facility is not open for business.
- (6) Animals shall be immunized from disease as is usual and customary for the animal's age and species.
- (7) Ownership of animal offered for sale: the owner/manager of the pet shop shall maintain written documentation of the source of all animals offered on consignment or otherwise being sold for compensation at a pet shop. Such documentation shall include a copy of the valid commercial kennel license for the source at time of breeding and disbursement. Records of all animals, reptiles, fish, or other animals offered for sale shall be readily available to enforcement and licensing agencies.
- (8) Pet shops are prohibited from offering for sale dogs or cats of any age which have been obtained from a puppy mill or kitten mill, commercial kennel, or through a broker, as defined in POMC 7.01.010.

SECTION 3. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

SECTION 4. Publication. This Ordinance shall be published by an approved summary consisting of the title.

SECTION 5. Effective Date. This Ordinance shall take effect and be in full force and effect five days after publication, as provided by law.

PASSED by the City Council of the City of Port Orchard, APPROVED by the Mayor and attested by the Clerk in authentication of such passage this _____ day of September 2019.

Robert Putaansuu, Mayor

ATTEST:

SPONSOR:

Brandy Rinearson, CMC, City Clerk

xxx, Councilmember

APPROVED AS TO FORM:

Sharon Cates, City Attorney

PUBLISHED:

EFFECTIVE DATE:

Puppy Mills: Facts and Figures

January 2019

10,000	Estimated number of puppy mills in the U.S. (both licensed and unlicensed)
2,264	Number of USDA Class A and B licensed facilities that breed dogs for the pet trade
196,996	Estimated number of dogs kept solely for breeding purposes in USDA licensed facilities
128,047	Estimated number of female dogs kept for breeding at USDA licensed facilities
9.4	Estimated number of puppies per breeding female per year
1,203,645	Estimated number of puppies produced by USDA licensed facilities each year
2.4 million	Estimated number of puppies sold annually who originated from puppy mills – USDA licensed and non-USDA licensed (not all breeders require a USDA license).
25%	Estimated percentage of dogs in animal shelters who are purebred
3 million	Estimated number of dogs and cats euthanized by shelters every year in the U.S.
\$4.00 - \$7.00	International City/County Management Association budgeting recommendation, per capita, for animal control programs.
\$500,000	Estimated cost of a puppy mill bust involving 250 animals.





THE HUMANE SOCIETY
OF THE UNITED STATES

Puppy Mill Brokers

A puppy mill “broker” is a pet dealer engaged in the business of re-selling puppies who were bred elsewhere. Unlike retail pet stores, brokers are middleman dealers who obtain puppies from breeders and puppy mills, and then transport and re-sell them. Brokers typically sell puppies to pet stores, but sometimes to research facilities, often travelling great distances to do so. In some cases the term is also used loosely to describe people who re-sell litters directly to the public that they themselves did not produce, for example, by posing as the original breeder and selling them through websites or classified ads.

Pet brokers who sell to pet stores or other dealers are required to obtain a Class B dealer license from the United States Department of Agriculture (USDA). The Class B license requires the brokers to abide by certain minimum standards of humane care and handling. It also requires them to carefully track the sources of their animals. However, many brokers routinely violate these rules. In addition, the health impacts of overcrowding, filthy conditions, and lack of basic veterinary oversight at puppy mills are only exacerbated when healthy animals from some breeders are mixed in with infectious animals from problem breeders on crowded trucks while transported long distances by brokers.

When addressing the accountability of pet stores or examining the sources of their puppies, it is imperative that we understand how most pet store puppies are sourced. The majority are sourced from brokers, not breeders.

Quick Facts about Puppy Brokers

- An HSUS review of records for more than 6,700 puppies shipped to pet stores between 2009 and 2012 found that **more than two thirds of the puppies were shipped by brokers, not breeders.**
- Nationwide, there are approximately 821 USDA-licensed pet brokers, and 2,356 USDA-licensed breeders¹
- The largest puppy broker in the country is believed to be The Hunte Corporation, based in Goodman, Missouri. This multi-million dollar company is believed to ship approximately 80,000 puppies per year to pet stores nationwide.
- The use of puppy mill brokers often makes it difficult if not impossible for the public to know who a puppy’s breeder actually was, as many pet stores will only disclose the broker information, if they provide any information at all.
- Many “B” dealers are also breeders. Some of the most notorious puppy mills in the country, including Kathy Bauck (Puppies on Wheels, MN), Jeff Fortin (KS), and Wanda Kretzman (Clearwater Kennel, MN) all have/had B licenses but also had hundreds of breeding dogs. Significant problems at these facilities resulted in Bauck’s conviction on animal cruelty charges in 2009, the deaths of 1,200 dogs at Fortin’s facility after an outbreak of canine distemper in 2010, and continued repeat AWA violations at Kretzman’s facility, which is currently still operating as of December 2012.

¹ USDA, Dec. 2012

- HSUS research into the sources of more than 15,000 puppies sent to 126 Petland, Inc. stores from 2007 through 2009 found that a majority of the stores - 87 in all - were purchasing some or all of their puppies from The Hunte Corporation. Others were purchasing from additional brokers, such as Lambriar, Mid-America Pet, Clearwater Kennel, and others.
- A review of USDA inspection reports linked to brokers found that a number of brokers have repeat violations of the federal Animal Welfare Act, including violations for sick puppies who were not treated by a vet, overcrowding, undersized cages, unsafe temperatures, the purchase of underage puppies, the purchase of puppies from unlicensed breeders, and unsafe transport vehicles.



Clearwater Kennel, a USDA Class B licensed facility in Minnesota, is estimated to house more than 900 dogs. The kennel is licensed to re-sell dogs produced by other breeders as well as dogs bred on site. Federal inspectors have cited Clearwater Kennel repeatedly for numerous animal care violations. – HSUS, 2008

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City of Port Orchard Work Study Session Executive Summary

Issue Title: Bay Street Pedestrian Pathway Project - Presentation

Meeting Date: September 17, 2019

Time Required: 60 Minutes

Attendees: None

Action Requested At This Meeting: PW Staff was directed to prepare an Overview for the Bay Street Pedestrian Pathway Project (Timeline/Milestones, Design Considerations and Funding) in response to recent citizen concerns and to ensure Council's understanding of the Project.

Issue: The City of Port Orchard has constructed Segments #2 thru 5 of the Bay Street Pedestrian Pathway Project, and the Right-of-Way phase for the Project is once again moving forward with the associated acquisition process for Segments #1 and #6 thru 10.

Background: The Bay Street Pedestrian Pathway Project was first initiated by the City of Port Orchard in the early 1990's, in response to a specific bike and pedestrian safety concern at the current location of the Seawall. In 1998, the City added the Bay Street Pedestrian Path to the 1999-2004 Transportation Improvement Program. In 2005, the City defined a 1-mile long Pathway Project (bikes & pedestrians) and received Federal funding.

Recommendation:

Follow-up Notes & Outcomes:

Attachments: To be provided prior to meeting.

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City of Port Orchard Work Study Session Executive Summary

Issue Title: Updating Speed Limits on Certain Roads Within the City of Port Orchard (POMC 10.08)

Meeting Date: September 17, 2019

Time Required: 15 minutes

Attendees: Nick Bond, Community Development Director

Action Requested at this Meeting: Provide feedback to staff on proposed resolution updating speed limits on certain roads within the City of Port Orchard.

Issue: Pursuant to Port Orchard Municipal Code Chapter 10.08, and in accordance with RCW 46.61.415, speed limits in Port Orchard are set by resolution. The City's current speed limit Resolution 1946 was adopted on August 27, 2001. Since that time, the City has completed numerous annexations and has experienced significant population growth, which requires that the City review and update Resolution 1946. The City's transportation engineering consultant, TSI, Inc. conducted a speed limit study to evaluate possible reductions on 4 city roads, Sidney Road SW, Old Clifton Road, SW Sedgwick Road, and Glenwood Road SW. Based on the recommendations found in this study, the City proposes four changes in speed limits from those that are indicated on existing speed limit signs as follows:

1. Old Clifton Road from Anderson Hill Road to West City Boundary. This stretch of Old Clifton Road was annexed about 10 years ago. The area is signed with 45 MPH speed limit signage that preceded annexation. Recently, the City completed the McCormick Village Park Project and has seen several hundred new homes added to the area since annexation. Additional homes are under development and a future school site is also located in the corridor. Due to these changing conditions, a speed limit reduction is recommended in this corridor from 45 MPH to 35 MPH.
2. Glenwood Road/Sedgwick Road from West City Boundary to Sidney Ave SW. This stretch of Glenwood and Sedgwick is now developing with Stetson Heights 300+ new single-family homes and has seen 200+ apartments constructed near Sedgwick and Sidney. Due to the increased growth and traffic, the City Engineer recommends that the speed limit in this corridor be reduced from 40 MPH to 35 MPH.
3. Sidney Road SW. Due to the planned growth center in this area along with the recent construction of apartments at Sidney and Sedgwick, the City Engineer recommends lower speed limit from 35 MPH to 30 MPH.

The draft resolution also establishes speed limits reflecting a handful of existing signs that deviate from the standard 25 MPH limit, but which were annexed and thus had not been captured in the City Resolution 1946.

Alternatives: Further revise the speed limits from the recommended proposed speed limit amendments; do not amend existing speed limits.

Recommendations: Staff recommends that Council provide feedback to staff on the proposed speed limit amendments.

Attachments: Draft Clean Resolution; Port Orchard 2019 Speed Limit Study and Draft Redline Resolution.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF PORT ORCHARD,
WASHINGTON, AMENDING RESOLUTION NO. 1946
ESTABLISHING INCREASES AND/OR DECREASES
OF SPEED LIMITS ON CITY STREETS AND
INTERSECTIONS.**

WHEREAS, RCW 46.61.415, as adopted by Ordinance No. 1479, sets forth the procedure for a municipality such as the City of Port Orchard to alter the maximum speed permitted by state law on city arterials, streets, and other rights-of-way, and allows such to be done by resolution after an engineering and traffic investigation by the traffic engineer; and

WHEREAS, the City has annexed large areas into the City limits where speed limits had been previously established by Kitsap County; and

WHEREAS, the City has discovered several instances in which speed limit signage was previously posted, but that signage was not listed in previous speed limit resolutions; and

WHEREAS, the default speed limit established in RCW 46.61.400 for city streets is 25 MPH; and

WHEREAS, pursuant to RCW 46.61.415(1), a city may raise or lower the maximum speed limit on city streets on the basis of an engineering and traffic investigation, within certain established limits; and

WHEREAS, the City completed a speed limit study on August 19, 2019 that included recommendations to reduce speed limits on Old Clifton Road, Sidney Road SW, SW Sedgwick Road, and Glenwood Road SW, which reductions are within the limits established by RCW 46.61.415(1); and

WHEREAS, the City Council of the City of Port Orchard finds that it is necessary and appropriate to alter the vehicular speeds permitted by state law on certain designated streets in the city by resolution and the posting of appropriate signs;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DOES HEREBY RESOLVE THAT RESOLUTION NO. 1946 IS HEREBY AMENDED TO READ AS FOLLOWS:

Section 1. DECREASE OF SPEED LIMIT. When signs are erected by the City Engineer giving notice thereof, the speed permitted by state law within those streets and intersections described in this section should be decreased during the times specified:

- (A) Dwight Street from Seattle Avenue to Harrison Avenue, twenty miles per hour at all times;
- (B) DeKalb Street from Seattle Avenue to Harrison Avenue, twenty miles per hour at all times;
- (C) Pottery Avenue from State Highway 16 to a point 300 feet north of the intersection of Lippert Drive, twenty miles per hour, when the beacon is flashing;
- (D) Lippert Drive/West Lippert Drive from a point 300 feet west of Pottery Avenue to a point 300 feet east of Pottery Avenue, twenty miles per hour at all times;
- (E) Mitchell Avenue from a point 300 feet south of Wolves Ln Pvt. to a point 300 feet north of DeKalb Street, twenty miles per hour, when the beacon is flashing;
- (F) Sidney Road SW from a point 300 feet north of SW Birch Road to a point 80 feet south of Glenwood Road, twenty miles per hour, when the beacon is flashing;
- (G) Lawrence Street from Tracy Avenue N to Perry Avenue N, twenty miles per hour at all times;
- (H) Perry Avenue N from Guy Wetzel Street to Lawrence Street, twenty miles per hour at all times;
- (I) Sprague Street, entire length, twenty miles per hour at all times;
- (J) Alleys and other narrow roads not otherwise listed, entire length, ten miles per hour at all times.

Section 2. INCREASE OF SPEED LIMIT. When signs are erected by the City Engineer giving notice thereof, the speed permitted by state law within those streets and intersections described in this section should be increased during the times specified:

- (A) Tremont Street, entire length, thirty-five miles per hour at all times;
- (B) Sidney Avenue from Tremont Street to primary State Highway 16, thirty miles per hour at all times;
- (C) Port Orchard Boulevard, on all that portion five hundred feet from its intersection with primary State Highway 166 to its intersection with Tremont Street, thirty-five miles per hour at all times;
- (D) Pottery Avenue from its intersection with Tremont Street to Sidney Road SW, thirty miles per hour at all times, excluding the school zone when the beacon is flashing;
- (E) On Bay Street (State Highway 166), beginning at the west city limits, easterly to a point 1.4 miles east of the west city limits, fifty miles per hour at all times;
- (F) On Bay Street (State Highway 166), beginning at a point 1.4 miles east of the west city limits, to a point 0.29 miles west of the intersection of West Avenue and Bay Street (State Highway 166), thirty-five miles per hour at all times;
- (G) Old Clifton Road, entire length, thirty-five miles per hour at all times;
- (H) On Mile Hill Drive (State Highway 166), beginning at the east city limits, westerly to the intersection of Bethel Avenue, thirty-five miles per hour at all times;
- (I) Bethel Avenue/Road, beginning at the south city limits to a point 600 feet south of the intersection of Bay Street (State Highway 166), thirty-five miles per hour at all times;
- (J) Olney Avenue, from the Beach Drive E to its intersection with Mile Hill Drive (State Highway 166), thirty miles per hour at all times;
- (K) Sidney Road SW from Pottery Avenue to the south city limits, thirty miles per hour at all times, excluding the school zone when the beacon is flashing;
- (L) SW Sedgwick Road from the east city limit to Sidney Road SW, thirty-five miles per hour at all times;

- (M) SW Sedgwick Road from Sidney Road SW to Glenwood Road SW, thirty-five miles per hour at all times;
- (N) Glenwood Road SW from the west city limit to SW Sedgwick Road, thirty-five miles per hour at all times;
- (O) SE Salmonberry Road from Bethel Road SE to east city limit, thirty miles per hour at all times;
- (P) Lund Avenue, entire length, thirty-five miles per hour at all times;
- (Q) Anderson Hill Road SW from SW Old Clifton Road to north city limit, thirty-five miles per hour at all times;
- (R) Feigley Road SW from SW Old Clifton Road to north city limit, thirty miles per hour at all times;
- (S) Mitchell Road SE from Bethel Road SE to Melcher Street, thirty miles per hour at all times; and
- (T) McCormick Woods Drive SW from Glenwood Road SW to SW Dunraven Place, thirty miles per hour at all times.

Section 3. EFFECTIVE DATE. Pursuant to RCW 46.61.415(5), the altered speed limits set forth in this Resolution shall take effect when appropriate signs giving notice thereof are erected.

PASSED by the City Council of the City of Port Orchard, APPROVED by the Mayor and attested by the City Clerk in authentication of such passage this _____ day of September 2019.

MAYOR ROBERT PUTAANSUU

ATTEST:

CITY CLERK, BRANDY RINEARSON



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August 19, 2019

TO: Nicholas M. Bond, AICP
Development Director, City of Port Orchard

FROM: Andrew L. Bratlien, PE

SUBJECT: Port Orchard 2019 Speed Limit Study

This memorandum describes the analysis, findings, and recommendations associated with the speed study for four roadway segments in Port Orchard:

- SW Old Clifton Rd from the western city limit (700 feet west of Our PI SW) to SR 16 WB ramp
- Sidney Rd SW from Pottery Ave (1,200 ft north of SR 16) to southern city limit (1,350 feet south of SW Sedgwick Rd)
- SW Sedgwick Rd from Sidney Rd SW to Glenwood Rd SW
- Glenwood Rd SW from Glenwood Rd SW to 1,400 ft west of Glenwood Rd SW

STUDY AREA

SW Old Clifton Rd

Old Clifton Rd is a two-lane collector roadway which runs generally east-west from the western city limit to Anderson Hill Rd before turning to run southwest-to-northeast from Anderson Hill Rd to the SR 16 / Tremont St interchange. It provides a connection between SR 3 to the west and SR 16 and the Tremont St corridor to the northwest, as well as providing access to local streets which serve major residential development including the McCormick Woods Urban Village. The study segment includes segments of City of Port Orchard roadway as well as Kitsap County roadway. A vicinity map is shown in **Figure 1**.

Old Clifton Rd consists of two 11-foot travel lanes with unpaved shoulders for the majority of the study segment. Posted speeds along the 3.31-mile study segment are:

- 45 mph from the west city limit to Berry Lake Rd,
- 40 mph from Berry Lake Rd to 300 ft north of Chawla Ct, and
- 35 mph from 300 ft north of Chawla Ct to SR 16 WB ramps

Old Clifton Rd currently includes two advisory speeds zones:

- 35 mph: horizontal curve between Anderson Hill Rd and Berry Lake Rd (westbound only)
- 30 mph: horizontal curve near Lloyd Pwky (both directions)

The roadway also provides direct access to the recently-opened McCormick Village Park, located on the north side of Old Clifton Rd between Campus Pkwy and Chanting Cir SW. Park visitors have been observed to park along both shoulders of Old Clifton Rd when the McCormick Village Park parking lot is full.

South Kitsap School District has identified a future high school site at the northwest corner of Old Clifton Rd and Feigley Rd. The 240,000 square foot school will serve approximately 1,500 students.

The Port Orchard Six-Year Transportation Improvement Program for 2019-2024 identifies a future roundabout project (TIP #1.4) at the intersection of Old Clifton Rd and Anderson Hill Rd. Construction is planned for year 2020.

Future roadway improvements identified in the McCormick Woods Urban Village Transportation Plan include:

- Old Clifton Rd and Feigley Rd (TIP #1.5B)
- Old Clifton Rd and Campus Pkwy (TIP #1.5C)
- Old Clifton Rd and McCormick Woods Dr (TIP #2.11)
- Shoulder and pedestrian improvements from SR 16 overpass to western city limits (TIP #2.10)

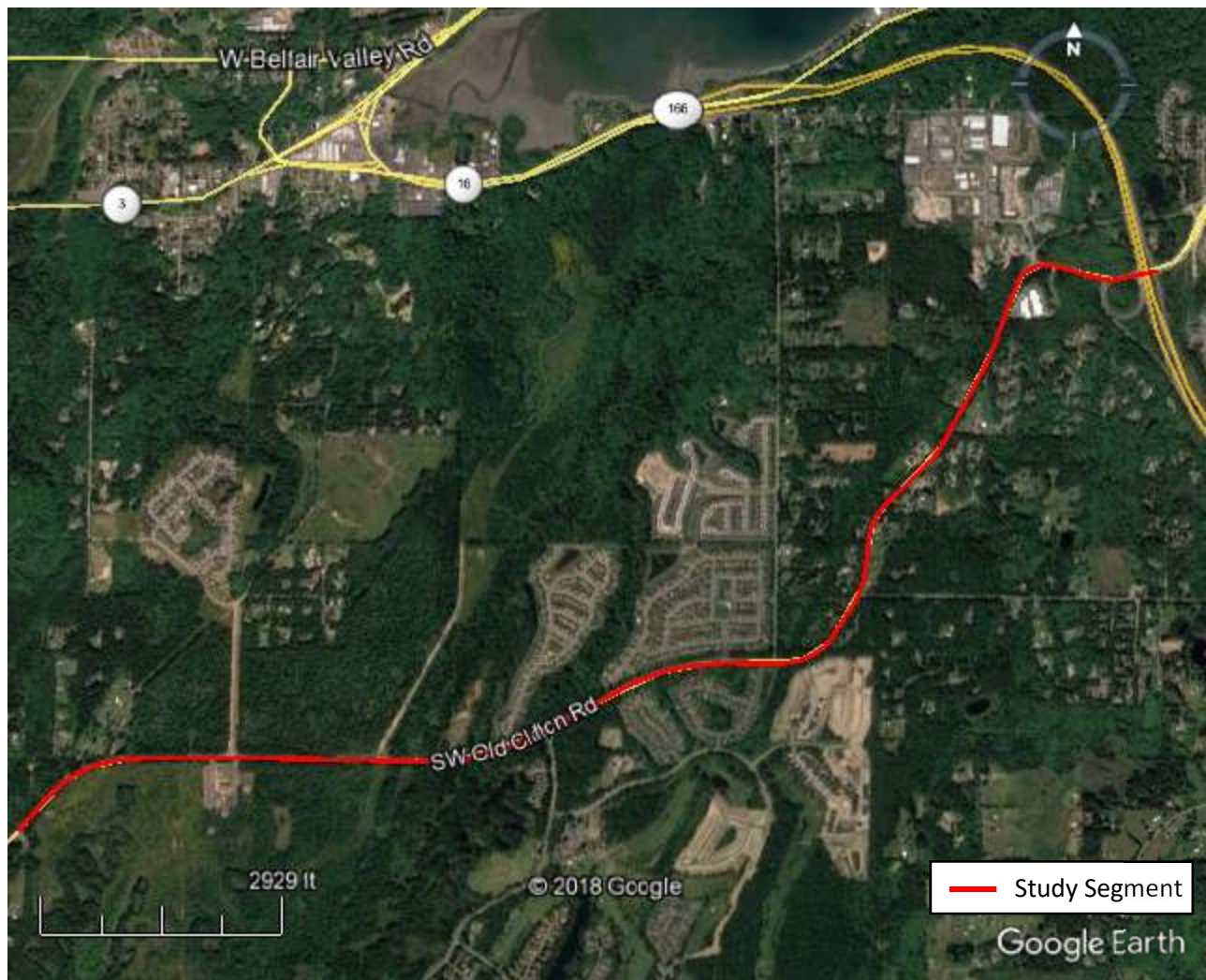


Figure 1. Old Clifton Rd Study Area

Sidney Rd SW

Sidney Rd is a north-south minor arterial roadway which connects Pottery Ave and Tremont St to the north with Sedgwick Rd to the south. Sidney Rd consists of two 12-foot travel lanes with paved shoulders on both sides. Off-street nonmotorized facilities currently exist along Sidney Rd:

- Along the west side from SR 16 to Birch Rd,
- Along the west side from 600 ft north of Sedgwick Rd to Sedgwick Rd,
- Along both sides from Sedgwick Rd to 600 ft south of Sedgwick Rd, and
- Along the west side from 600 ft south of Sedgwick Rd to the south city limit.

A vicinity map is shown in **Figure 2**. Posted speeds on the 1.26-mile study segment are currently 30 mph from Pottery Ave to Hovde Rd, and 35 mph from Hovde Rd to southern city limit. Pottery Ave to the north includes a posted speed of 30 mph and a school zone with a 20 mph speed limit during pick-up and drop-off hours on school days.

Sidney Glen Elementary School is located on the west side of Sidney Rd between Birch Rd and Glenwood Rd. A school zone restricts speeds to 20 mph in the vicinity of the school during pick-up and drop-off hours. Recent development activity along the corridor includes more than 200 new multifamily units near the Sedgwick Rd intersection.

The Port Orchard 2025-2038 TIP identifies a future widening project (TIP #2.8) which includes a center two-way left-turn lane, bikes lanes, sidewalks, and traffic calming from the SR 16 crossing to Sedgwick Rd.

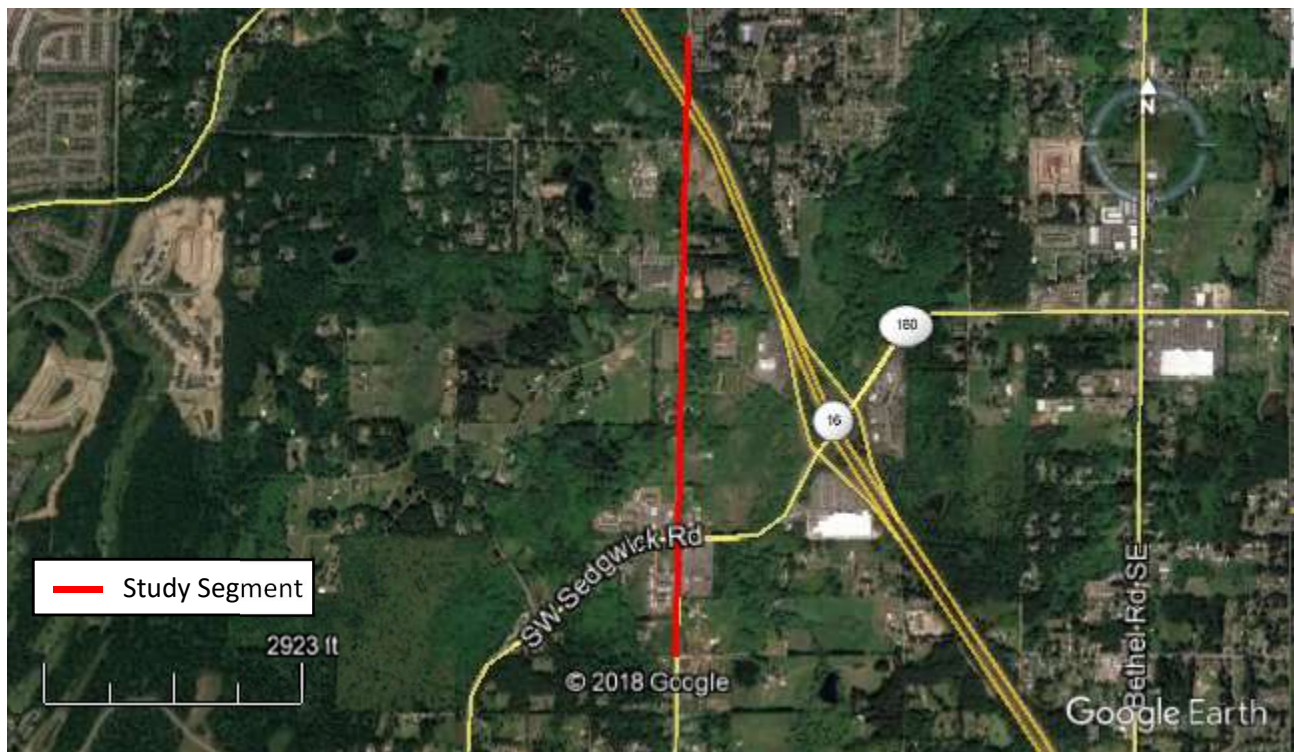


Figure 2. Sidney Rd SW Study Area

SW Sedgwick Rd

Sedgwick Rd is a two-lane east-west principal arterial roadway connecting the SR 16 interchange and SR 160 to the east with Glenwood Rd to the west. It consists of two 12-foot travel lanes with paved shoulders on both sides. From Sidney Rd to 75 feet west of Hepburn Way, Sedgwick Rd includes a 6-foot concrete sidewalk along the south side. A vicinity map is shown in **Figure 3**. Posted speeds along the 0.37-mile study segment are 35 mph from Sidney Rd to Hepburn Way and 40 mph from Hepburn Way to Glenwood Rd. Posted speed limit on Sedgwick Rd east of Sidney Rd is 35 mph.

Sedgwick Rd provides access to commercial properties near Sidney Rd and provides a through route for major residential development to the southwest, including Stetson Heights and the McCormick Urban Village. The Stetson Heights development will be constructing pedestrian improvements along the north side of the segment. No landscaping buffer will be provided.

The Port Orchard 2025-2038 TIP identifies a planned complete street improvement project (TIP #3.4) on Sedgwick Rd from SR 16 to Glenwood Rd



Figure 3. SW Sedgwick Rd Study Area

Glenwood Rd SW

Glenwood Rd is a two-lane principal arterial roadway connecting Sedgwick Rd to the northeast with Lake Flora Rd to the southwest. A vicinity map is shown in **Figure 4**. The 0.27-mile study segment includes approximately 600 feet of City of Port Orchard roadway and 800 feet of Kitsap County roadway. Paved shoulders exist on both sides of Glenwood Rd in the study area. Posted speed limit is 40 mph.

Similar to SW Sedgwick Rd, Glenwood Rd provides through access from major residential developments Stetson Heights and McCormick Urban Village to SR 16 and SR 160 to the northeast. The Stetson Heights development will be constructing pedestrian improvements along the north side of the segment. No landscaping buffer will be provided.



Figure 4. Glenwood Rd SW Study Area

DATA COLLECTION

Existing traffic volume, speed, and vehicle classification data were collected at the following locations during the 3-day period of July 23-25, 2019:

- Old Clifton Rd west of Feigley Rd
- Old Clifton Rd east of McCormick Woods Dr
- Old Clifton Rd west of Lloyd Parkway
- Sidney Rd south of Berry Lake Rd
- Sedgwick Rd west of Glenwood Rd

Existing traffic volumes and speeds are summarized in **Table 1**.

Table 1. 2019 Traffic Volumes and Speeds

Location	2019 ADT ¹	Posted Speed, mph	50 th Percentile Speed ² , mph (+/- posted)	85 th Percentile Speed ³ , mph (+/- posted)
Old Clifton Rd w/o Feigley Rd	2,315	45	47 (+2)	53 (+8)
Old Clifton Rd e/o McCormick Woods Dr	6,625	45	45 (0)	51 (+6)
Old Clifton Rd w/o Lloyd Pkwy	5,675	35	40 (+5)	45 (+10)
Sidney Rd s/o Berry Lake Rd	8,560	30	33 (+3)	38 (+8)
Sedgwick Rd w/o Glenwood Rd	8,320	40	44 (+4)	49 (+9)

¹Average Daily Traffic volume (3-day average); ²50th percentile speed; ³85th percentile speed

Median (50th percentile) speeds were observed to be at or above the posted speed at each data collection site. 85th percentile speeds were observed to be between 6 and 10 mph higher than the posted speed at each site.

CRASH HISTORY

Crash records were reviewed for each segment for the five-year period from 2014 through 2018. For the crash history analysis, the Sedgwick Rd and Glenwood Rd study segments were combined into a single study corridor. Crash history is summarized below and in **Table 2**.

Table 2. 2014-2018 Crashes by Type

Location	Crashes	Fixed Object	Entering/ Left-Turn	Rear-End	Side-swipe	Ped/Bike	Other	Total
Old Clifton Rd (West CL to SR 16 WB)	w/Injury	10	9	6	1	1	3	30
	Total	24	23	22	3	1	10	83
Sidney Rd (SR 16 overpass to south CL)	w/Injury	1	3	1	0	0	0	5
	Total	7	12	4	2	0	0	25
Sedgwick Rd / Glenwood Rd (Sidney Rd to 1,400 ft w/o Glenwood Rd)	w/Injury	2	1	0	0	0	1	4
	Total	9	7	3	1	0	2	22

A total of 83 crashes were reported on Old Clifton Rd, of which 30 (36%) were injury crashes. Predominant crash types include fixed object (29%), entering and left-turn type (28%), and rear-end crashes (27%). Three serious injury and one fatality crash were reported and are described below:

- 6/19/2015 (10:49 PM): Roadway departure. Alcohol cited. Serious injury.
- 8/16/2016 (3:13 PM): Roadway departure. Speed cited. Fatal crash.
- 9/1/2016 (7:30 AM): Eastbound left-turning vehicle failed to grant ROW to oncoming westbound vehicle at Old Clifton Rd and SR 16 WB ramp intersection. Serious injury
- 4/7/2017 (11:36 AM): Westbound vehicle struck sign post. Defective equipment cited. Serious injury.

Sidney Rd included a total of 25 crashes from 2014 through 2018, of which 5 (20%) were injury crashes. No serious injury or fatality crashes were reported. The predominant crash type on Sidney Rd is entering/left-turn crashes (48%).

The combined segment consisting of Sedgwick Rd and Glenwood Rd included 22 crashes, of which 4 (18%) were injury crashes. No serious injury or fatality crashes were reported. Predominant crash types on the Sedgwick Rd/Glenwood Rd corridor include fixed object (41%) and entering/left-turn (32%) crashes.

Crash rates were analyzed for each study segment based on 2019 traffic counts and 2014-2018 crash reports. Crash rates, expressed in crashes per 100 million vehicle miles traveled (100M VMT), were calculated and compared against the Kitsap County average crash rate of 175.4 crashes per 100M VMT, as indicated in the Washington State Department of Transportation (WSDOT) 2015 Annual Collision Summary. Crash rates on Old Clifton Rd and Sedgwick Rd/Glenwood Rd are 17% and 29% higher than the countywide average. Sidney Rd crash rate is 32% lower than the countywide average. Crash rates are summarized in **Table 3**.

Table 3. 2014-2018 Crash Rates

Location	2019 ADT ¹	Total Crashes ²	Crash Rate (/100M VMT) ³	% Difference from County Average
Old Clifton Rd (West CL to SR 16 WB)	6,625	83	205.0	+17%
Sidney Rd (SR 16 overpass to south CL)	8,560	25	118.5	-32%
Sedgwick Rd / Glenwood Rd (Sidney Rd to 1,400 ft west of Glenwood Rd)	8,320	22	226.4	+29%

¹Average Daily Traffic volume (3-day average); ²Source: WSDOT; ³Crash rate per Million Entering Vehicles

SPEED LIMIT ANALYSIS

A speed limit analysis was developed for each segment. Each analysis considered existing traffic volumes, anticipated traffic volume growth, crash history, observed speeds, likelihood for nonmotorized activity, roadway functional classification, number of access points, and area character. Each analysis also identified recommendations for advisory speed zones and school zones.

The speed limit analysis considered recommendations generated by USLIMITS2 software. USLIMITS2 is a web-based tool developed by the Federal Highway Administration (FHWA) to help practitioners identify credible and enforceable speed limits given a variety of roadway characteristics. USLIMITS2 utilizes a decision algorithm based on published research, practitioner surveys, roadway experts, and based on lessons learned from a previous knowledge-based decision algorithm. USLIMITS2 analysis results were found to be driven primarily by observed 50th and 85th percentile speeds, which are generally higher than posted speeds for each segment. Operating speeds are likely to contribute to the higher-than-average crash

rates along the Old Clifton Rd and Sedgwick Rd/Glenwood Rd corridors. Therefore, the USLIMITS2 software recommendations were not applied.

SW Old Clifton Rd

Observed 85th percentile speeds range between 45 mph and 53 mph along the corridor, with 50th percentile speeds matching or exceeding the posted speed limit at each of the three observed sites. However, a lower speed limit and speed countermeasures are supported by the following factors:

- Crash rates:
 - Crash rate is 17% higher than Kitsap County average.
 - Injury crash rate is 26% higher than Kitsap County average, suggesting crashes are more likely to be severe in nature.
 - Predominant crash types are fixed object/roadway departure (29%) and rear-end (27%). These are generally consistent with high speed corridors
- Roadway character and development activity:
 - Pipeline development along the corridor, including the full buildout of McCormick Urban Village, will increase average daily traffic volume (ADT) from 6,625 vehicles per day (vpd) to approximately 13,400 vpd by 2025.
 - Ongoing residential development is likely to result in higher pedestrian and bicycle demand along the corridor, which does not currently include separated nonmotorized facilities
- Roadway improvements
 - New roundabouts at Anderson Hill Rd, McCormick Woods Dr, Feigley Rd, and Campus Pkwy
 - Shoulder and pedestrian improvements which will facilitate nonmotorized activity

Based on the factors identified above, a uniform 35 mph speed limit is justified through the study segment. Assuming an existing 85th percentile speed of 45 mph through the segment, the new speed limit will result in a travel time increase of approximately 1 minute for the length of the study corridor.

Ongoing development and roundabout improvements along Old Clifton Rd are likely to reduce corridor speeds, however the new speed limit should also be accompanied by engineering countermeasures which will improve safety and/or reduce travel speeds. These may include:

- Longitudinal rumble strips on roadway shoulders to reduce roadway departure crashes
- Speed feedback signs to reduce speeds, specifically near McCormick Woods Park
- Pedestrian crossing with Rapid Rectangular Flashing Beacon (RRFB) at McCormick Village Park to increase nonmotorized safety

Upon construction of the new high school at the corner of Old Clifton Rd and Feigley Rd, a time-restricted 25 mph speed limit is recommended. The school zone should indicate reduced speeds only on school days during pick-up and drop-off times.

Advisory speeds through horizontal curves along Old Clifton Rd were verified in the field using the ball-bank indicator method. The ball-bank indicator method, described in *Procedures for Setting Advisory Speeds on Curves* (FHWA 2011), determines advisory speeds in the field using a ball-bank indicator device or similar smartphone application. The method consists of recording degree of deflection at a given speed through a curve. The test measures the combined effects of superelevation, lateral acceleration, and vehicle body roll. The Manual on Uniform Traffic Control Devices (MUTCD) 2009 edition establishes guidelines for setting advisory speeds through horizontal curves using the ball-bank indicator method, including:

- 16 degrees of deflection for speeds of 20 mph or less
- 14 degrees of deflection for speeds of 25 to 30 mph, and
- 12 degrees of deflection for speeds of 35 mph and higher.

Ball-bank deflection was measured throughout the Old Clifton Rd study corridor using the Curveware smartphone application. The app was used on a smartphone mounted to a passenger vehicle and was calibrated on a level driving surface before each test. The findings of the ball-bank indicator study and the recommended advisory speeds according to MUTCD 2009 criteria are summarized in **Table 4**.

Table 4. Old Clifton Rd Ball-Bank Indicator Summary

Location	Direction	Degrees of Ball-Bank	Speed (mph)	Recommended Advisory Speed (mph)
Anderson Hill Rd to Berry Lake Rd	EB	11°	40	-
	WB	12°	35	35
At Lloyd Pkwy	EB	13°	30	30
	WB	14°	35	30

The existing 30 mph advisory speed should be maintained on both directions of Old Clifton Rd in the vicinity of Lloyd Pkwy.

Sidney Rd SW

The existing corridor includes a 30 mph posted speed limit from Pottery Ave to Hovde Rd and a 35 mph posted speed limit from Hovde Rd to the southern city limit. The higher speed limit on the south end of the corridor is inconsistent with ongoing commercial and residential development activity in the vicinity of Sedgwick Rd. Ongoing development in the vicinity of Sidney Rd, including the buildout of the Stetson Heights and McCormick Urban Village developments, is expected to result in a 20 percent increase in travel demand by 2025.

It is recommended that the posted speed limit be reduced from 35 mph to 30 mph from Hovde Rd to the southern city limits. The updated speed limit will provide consistency through the Sidney Rd corridor and will improve safety near the Sedgwick commercial and multifamily residential development. The reduced speed limit will also support the developed character of Sidney Rd near Sedgwick Rd, and will be supported by the planned Sidney Rd widening, landscaping, nonmotorized improvements, and traffic calming identified in the Port Orchard 2025-2038 TIP.

SW Sedgwick Rd / Glenwood Rd SW

Based on guidance identified in *Methods and Practices for Setting Speed Limits: An Informational Report* (FHWA 2012), the minimum length of road for speed limits on low-speed urban arterial routes is between 0.3 miles and 0.6 miles. For the purposes of this analysis, the 0.37-mile Sedgwick Rd segment was combined with the 0.27-mile study segment of Glenwood Rd.

The study segment represents a transition between rural arterial roadway to the southwest and the developing urban arterial corridor to the northeast. The corridor currently includes a 35 mph posted speed from Sidney Rd to Hovde, and a 40 mph posted speed from Hovde to the southwest end of the study segment.

A ball-bank field study, as described above, indicated that no advisory speed signage is necessary on the horizontal curves between McCormick Woods Dr and Glenwood Rd.

A speed limit revision is supported by the following factors:

- Crash rates
 - Crash rate is 29% higher than Kitsap County average.
 - Injury crash rate is 23% higher than Kitsap County average, suggesting crashes are more likely to be severe in nature.
 - Predominant crash types are fixed object/roadway departure (41%), which may be caused by excessive travel speeds, and entering/left-turn (32%), which are typical for unsignalized accesses along high-volume/high-speed arterial roadways.
- Roadway character and development activity
 - Pipeline development along the corridor, including the full buildout of Stetson Heights and McCormick Urban Village, will increase average daily traffic volume (ADT) from 8,320 vehicles per day (vpd) to approximately 13,600 vpd by 2025.
 - Ongoing residential development is likely to result in higher pedestrian and bicycle demand along the corridor, which does not currently include separated nonmotorized facilities
 - Future nonmotorized facilities will include sidewalk with no buffer to travel lanes.

Based on the above factors, a speed limit of 35 mph is recommended through the Sedgwick Rd/Glenwood Rd study corridor. This will provide consistency in speed limits through the study corridor and with the 35-mph posted speed on Sedgwick Rd to the east of the study corridor.

Engineering countermeasures may be used to reduce operating speeds and/or improve safety along the corridor. These may include:

- Longitudinal rumble strips on roadway shoulders to reduce roadway departure crashes
- Restriping lanes to 11-foot width to reduce speeds and increase nonmotorized safety
- Speed feedback signs to reduce speeds

RECOMMENDATIONS

Recommendations for each study segment are summarized below. The engineering countermeasures identified for each segment will support the recommended speed limits.

In addition to the identified engineering countermeasures, speed limit changes should be accompanied by a public education effort to inform local residents of the changes. Speed limit enforcement will also be an important component of achieving compliance with reduced speed limits.

SW Old Clifton Rd

- 35 mph speed limit through study corridor
- Engineering countermeasures may include:
 - Longitudinal rumble strips on roadway shoulders to reduce roadway departure crashes
 - Speed feedback signs near McCormick Village Park to reduce speeds
 - Pedestrian crossing with RRFB at McCormick Village Park to increase pedestrian safety
- Future 25 mph school zone upon construction of Feigley Rd high school
- Marked pedestrian crossing and RRFB at McCormick Village Park
- Maintain 30 mph advisory speed signage on horizontal curve in vicinity of Llyod Pkwy

Sidney Rd SW

- 30 mph speed limit through corridor
- Engineering countermeasures as part of Sidney Rd widening project (TIP #2.8) to include lane narrowing, median islands, landscaping strips, or other traffic calming measures

SW Sedgwick Rd / Glenwood Rd SW

- 35 mph speed limit from Sidney Rd to 1,400 ft west of Glenwood Rd
- Engineering countermeasures to include:
 - Longitudinal rumble strips on roadway shoulders to reduce roadway departure crashes
 - Restriping lanes to 11-foot width to reduce speeds and increase nonmotorized safety
 - Speed feedback signs to reduce speeds

Roadway speeds and crash history should be monitored as each study corridor continues to develop and travel demand continues to grow.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF PORT ORCHARD,
WASHINGTON, AMENDING RESOLUTION NO. 1946
ESTABLISHING INCREASES AND/OR DECREASES
OF SPEED LIMITS ON CITY STREETS AND
INTERSECTIONS.

WHEREAS, RCW 46.61.415, as adopted by Ordinance No. 1479, sets forth the procedure for a municipality such as the City of Port Orchard to alter the maximum speed permitted by state law on city arterials, streets, and other rights-of-way, and allows such to be done by resolution after an engineering and traffic investigation by the traffic engineer; and

WHEREAS, the City has annexed large areas into the City limits where speed limits had been previously established by Kitsap County; and

WHEREAS, the City has discovered several instances in which where speed limit signage was previously posted, but that signage was not listed in previous speed limit resolutions; and

WHEREAS, the default speed limit established in RCW 46.61.400 for city streets is 25 MPH; and

WHEREAS, pursuant to RCW 46.61.415-(3)-(a), ~~allows a city may~~ to lower speed limits to 20 MPH in residential areas without first undertaking ~~a study~~ an engineering and traffic investigation; and

WHEREAS, pursuant to RCW 46.61.415(3)(c), the City consulted the Manual on Uniform Traffic Control Devices as adopted by the Washington State Department of Transportation when determining that speed limits on certain residential street segments should be lowered to 20 MPH; and

WHEREAS, pursuant to RCW 46.61.415(1), a city may otherwise raise or lower the maximum speed limit on city streets on the basis of an engineering and traffic investigation, within certain established limits; and

WHEREAS, the City completed a speed limit study on August 19, 2019 that included recommendations to reduce speed limits on Old Clifton Road, Sidney Road SW, SW Sedgwick Road, and Glenwood Road SW, which reductions are within the limits established by RCW 46.61.415(1); and

WHEREAS, the City Council of the City of Port Orchard finds that it is necessary and appropriate to alter the vehicular speeds permitted by state law on certain designated streets in the city by resolution and the posting of appropriate signs;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DOES HEREBY RESOLVE THAT RESOLUTION NO. 1946 IS HEREBY AMENDED TO READ AS FOLLOWS:

Section 1. DECREASE OF SPEED LIMIT. When signs are erected by the City Engineer giving notice thereof, the speed permitted by state law within those streets and intersections described in this section should be decreased during the times specified:

- (A) Dwight Street from Seattle Avenue to Harrison Avenue, twenty miles per hour at all times, ~~on days school is in session and when children are present;~~
- (B) DeKalb Street from Seattle Avenue to Harrison Avenue, twenty miles per hour at all times, ~~on days school is in session and when children are present;~~
- (C) Pottery Avenue from State Highway 16 to a point 300 feet north of the intersection of Lippert Drive, twenty miles per hour, when the beacon is flashing;
- ~~(C)~~(D) Lippert Drive/West Lippert Drive from a point 300 feet west of Pottery Avenue to a point 300 feet east of Pottery Avenue, twenty miles per hour at all times;;
- ~~(D)~~(E) Mitchell Avenue from a point 300 feet south of Wolves Ln Pvt. ~~Pliske Lane~~ to at point 300 feet north of DeKalb Street, twenty miles per hour, ~~on~~

~~days school is in session and when children are present~~when the beacon is flashing;

- ~~(E) Sidney Avenue from Fireweed Street to one thousand feet north of Fireweed Street, twenty miles per hour, on days when school is in session and when children are present;~~
- (F) Sidney Road SW from a point 300 feet north of SW Birch Road to a point 80 feet south of Glenwood Road, twenty miles per hour, when the beacon is flashing;
- (G) Lawrence Street from Tracy Avenue N to Perry Avenue N, twenty miles per hour at all times;
- (H) Perry Avenue N from Guy Wetzel Street to Lawrence Street, twenty miles per hour at all times;
- (I) Sprague Street, entire length from Olney Avenue SE to dead end, twenty miles per hour at all times;
- (J) Alleys and other narrow roads not otherwise listed, entire length, ten miles per hour at all times.

Section 2. INCREASE OF SPEED LIMIT. When signs are erected by the City Engineer giving notice thereof, the speed permitted by state law within those streets and intersections described in this section should be increased during the times specified:

- (A) Tremont Street, entire length from its intersection with Old Clifton Road to the east city limits, thirty-five miles per hour at all times;
- (B) Sidney Avenue from Tremont Street to primary State Highway 16, thirty miles per hour at all times;
- (C) Port Orchard Boulevard, on all that portion five hundred feet from its intersection with primary State Highway 166 to five hundred feet from its intersection with Tremont Street, thirty-five miles per hour at all times;
- (D) Pottery Avenue from its intersection with Tremont Street to the south city Sidney Road SW limits, thirty miles per hour at all times, except during school hours excluding the school zone when the beacon is flashing;
- (E) On Bay Street (State Highway 166), beginning at the west city limits, easterly to a point 1.4 miles east of the west city limits, fifty miles per hour at all times;

- (F) On Bay Street (State Highway 166), beginning at a point 1.4 miles east of the west city limits, to a point 0.29 miles west of the intersection of West Avenue and Bay Street (State Highway 166), thirty-five miles per hour at all times;
- (G) Old Clifton Road, ~~entire length, from the west city limits to its intersection with Tremont Street,~~ thirty-five miles per hour at all times;
- (H) On Mile Hill Drive (State Highway 166), beginning at the east city limits, westerly to the intersection of Bethel Avenue, thirty-five miles per hour at all times;
- (I) Bethel Avenue/~~Road~~, beginning at the south city limits to a point 600 feet south of the intersection of Bay Street (State Highway 166), thirty-five miles per hour at all times;
- (J) Olney Avenue, from the ~~north city limits~~Beach Drive E to its intersection with Mile Hill Drive (State Highway 166), thirty miles per hour at all times;
- (K) Sidney Road SW from Pottery Avenue to the south city limits, ~~thirty~~ thirty-five miles per hour at all times, excluding the school zone when the beacon is flashing~~;~~;
- (L) SW Sedgwick Road from the east city limit to Sidney Road SW, thirty-five miles per hour at all times~~;~~;
- (M) SW Sedgwick Road from Sidney Road SW to Glenwood Road SW, ~~thirty~~ thirty-fiveforty miles per hour at all times~~;~~;
- (N) Glenwood Road SW from the west city limit to SW Sedgwick Road, ~~thirty~~ fortythirty-five miles per hour at all times~~;~~;
- (O) SE Salmonberry Road from Bethel Road SE to east city limit, thirty miles per hour at all times~~;~~;
- (P) Lund Avenue, entire length, thirty-five miles per hour at all times~~;~~;
- (Q) Anderson Hill Road SW from SW Old Clifton Road to north city limit, thirty-five miles per hour at all times~~;~~;
- (R) Feigley Road SW from SW Old Clifton Road to north city limit, thirty miles per hour at all times~~;~~;

- (S) Mitchell Road SE from Bethel Road SE to Melcher Street, thirty miles per hour at all times, excluding the school zone when the beacon is flashing; and-
- (T) McCormick Woods Drive SW from Glenwood Road SW to SW Dunraven Place, thirty miles per hour at all times.

Section 3. EFFECTIVE DATE. Pursuant to RCW 46.61.415(5), the altered speed limits set forth in this Resolution shall take effect when appropriate signs giving notice thereof are erected on August 1, 2019.

PASSED by the City Council of the City of Port Orchard, APPROVED by the Mayor and attested by the City Clerk in authentication of such passage this _____ day of September 2019.

APPROVED:

MAYOR ROBERT PUTAANSUU

ATTEST:

CITY CLERK, BRANDY RINEARSON