

Chapter 28.96
REGULATION OF CONDUCT ON TRANSIT PROPERTY

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I. GENERAL

28.96.010 Civil infractions - misdemeanors. A. Infractions. The following actions are prohibited in, on or in relation to, all transit properties. For conduct not amounting to a violation of another applicable state or local law bearing a greater penalty or criminal sanction than is provided under this section, a person who commits one of the following acts in, on or in relation to transit property is guilty of a civil infraction to which chapter 7.80 RCW applies.

1. Allowing any animal to occupy a seat on transit property, to run at large without a leash, to unreasonably disturb others, or to obstruct the flow of passenger or bus traffic; but animals may occupy a passenger's lap while in a transit vehicle or facility;
2. Allowing his or her animal to leave waste on transit property;
3. Rollerskating, rollerblading or skateboarding;
4. Riding a bicycle, motorcycle or other vehicle except for the purpose of entering or leaving passenger facilities on roadways designed for that use. In tunnel facilities, bicycles must be walked at all times and may not be transported on escalators. However, nothing in this section shall be construed to apply to commissioned peace officers or county employees engaged in authorized activities in the course of their employment;

5. Eating or drinking. However, eating and drinking nonalcoholic beverages are permitted on the mezzanine and exterior plaza levels of tunnel stations and the exterior areas of other passenger facilities. Also, drinking a nonalcoholic beverage from a container designed to prevent spillage is permitted on transit property;

6. Bringing onto a transit passenger vehicle any package or other object which blocks an aisle or stairway or occupies a seat if to do so would, in the operator's sole discretion, cause a danger to passengers or displace passengers or expected passengers;

7. Operating, stopping, standing or parking a vehicle in any roadway or location restricted for use only by transit vehicles or otherwise restricted;

8. Engaging in public communication activities or commercial activities except as authorized under K.C.C. 28.96.020 through 28.96.210.

9. Riding transit vehicles or using benches, floors or other areas in tunnel and other passenger facilities for the purpose of sleeping rather than for their intended transportation-related purposes;

10. Camping in or on transit property; storing personal property on benches, floors or other areas of transit property;

11. Entering or crossing the transit tunnel roadway or transit vehicle roadways in and about other passenger facilities, except in marked crosswalks or at the direction of county or public safety personnel;

12. Extending an object or a portion of one's body through the door or window of a transit vehicle while it is in motion;

13. Hanging or swinging on bars or stanchions, with feet off the floor, inside a transit vehicle or other transit property; hanging onto or otherwise attaching oneself at any time to the exterior of a transit vehicle or other transit property;

14. Engaging in any sport or recreational activities on transit property;

15. Parking a vehicle in an approved parking area on transit property for more than seventy-two consecutive hours;

16. Using a transit facility for residential or commercial parking purposes;

17. Performing any nonemergency repairs or cleaning of a vehicle parked on transit property;

and

18. Conducting driver training on transit property.

B. Misdemeanors. The following actions are prohibited in, on or in relation to all transit properties. For conduct not amounting to a violation of another applicable state or local criminal law bearing a greater penalty than is provided under this chapter, a person who commits one of the following acts in, on or in relation to transit property is guilty of a misdemeanor.

1. Smoking or carrying a lighted or smoldering pipe, cigar or cigarette while in a transit vehicle or in the platform or mezzanine areas of the tunnel;

2. Discarding litter other than in designated receptacles;

3. Playing a radio, tape recorder, audible game device or any other sound-producing equipment, except when the equipment is connected to earphones that limit the sound to the individual listener. However, the use of communication devices by county employees, county contractors or public safety officers in the line of duty is permitted, as is the use of private communication devices used to summon, notify or communicate with other individuals (such as "beepers" or portable telephones);

4. Spitting, expectorating, urinating or defecating except in restroom facilities;

5. Carrying flammable liquids, flammable or nonflammable explosives, acid or any other article or material of a type or in a manner that is likely to cause harm to others. However, cigarette, cigar or pipe lighters, firearms, weapons, and ammunition may be carried if in a form or manner that is not otherwise prohibited by law or ordinance;

6. Intentionally obstructing or impeding the flow of transit vehicle or passenger movement, hindering or preventing access to transit property, causing unreasonable delays in boarding or deboarding, reclining or occupying more than one seat, or in any way interfering with the provision or use of transit services;

7. Unreasonably disturbing others by engaging in loud, raucous, unruly, harmful, abusive or harassing behavior;

8. Defacing, destroying or otherwise vandalizing transit property or any signs, notices or advertisements on transit property;

9. Drinking an alcoholic beverage or possessing an open container of an alcoholic beverage. However, possessing and drinking an alcoholic beverage is not prohibited in the tunnel facilities if authorized as part of a scheduled special event for which all required permits have been obtained and when said facilities are not in use for transit purposes;

10. Entering nonpublic areas, including but not limited to tunnel staging areas and equipment rooms, except when authorized by the director or when instructed to by county or public safety personnel;

11. Dumping any materials whatsoever on transit property, including but not limited to chemicals and automotive fluids;

12. Throwing an object at transit property or at any person in transit property;

13. Failing to present a valid, unexpired pass, transfer or ticket or otherwise failing to pay the appropriate fare as required under county ordinance;

14. Possessing an unissued transfer or tendering an unissued transfer as proof of fare payment;

15. Falsely representing oneself as eligible for a special or reduced fare or obtaining any permit or pass related to the transit system by making a false representation;

16. Falsely claiming to be a transit operator or other transit employee; or through words, actions and/or the use of clothes, insignia or equipment resembling department-issued uniforms and equipment, creating a false impression that he or she is a transit operator or other transit employee;

17. Bringing onto transit property odors which unreasonably disturb others or interfere with their use of the transit system, whether such odors arise from one's person, clothes, articles, accompanying animal or any other source;

18. Engaging in gambling or any game of chance for the winning of money or anything of value; and

19. Discharging a laser-emitting device on a transit vehicle, directing such a device from a transit vehicle toward any other moving vehicle or directing such a device toward any transit operator or passenger. (Ord. 13544 § 1, 1999; Ord. 11950 § 14, 1995).

II. PUBLIC COMMUNICATION ACTIVITIES

28.96.020 General. A. Purpose. In furtherance of its proprietary function as provider of public transportation, the county makes a variety of transit properties available to persons who use public transit services. Although transit properties may be accessed by the general public, they are not open public forums either by nature or by designation. Transit properties are intended to be used for public transit-related activities and provide little, if any, space for other activities.

Most public communication activities are generally prohibited in or on transit properties, regardless of viewpoint expressed, because they are incompatible with the county's legitimate interests, including but not limited to:

1. Securing the use of scarce parking spaces and shelter space for persons who are using public transit services;

2. Maintaining safe, clean and secure transit properties to retain existing, and attract new users of public transit services;

3. Reducing litter pick-up and other maintenance or other administrative expenses so as to maximize the provision of public transit services;

4. Preventing delays and inconvenience to passengers by minimizing congestion, and expediting their boarding, transferring, and deboarding of transit vehicles; and

5. Securing scarce space at the tunnel and other passenger facilities for potential commercial activities intended to produce revenues for the system and attract riders with convenience services and goods.

It is the purpose of this chapter to describe the varying degrees to which passengers and the public are allowed to engage in public communication activities on the three categories of transit

property identified in Sections 28.96.030, 28.96.040 and 28.96.050. This chapter does not apply to county activities or to county employees engaged in authorized activities in the course of their employment.

B. Obligations of communicator. In addition to any civil infraction or criminal sanctions which may be applicable under this chapter or applicable federal, state and local law, any person engaged in public communication activities and found responsible for litter, damages or destruction of property, whether by accident or intent, shall be responsible for cleaning-up and/or shall be liable for the cost of clean-up, repair and replacement as necessary.

C. Non-county uses. Notwithstanding the limitations and prohibitions contained in this chapter, the county reserves the right to enter into licenses, leases or other use agreements permitting non-county uses of transit properties which are found to be compatible with the county's proprietary public transit function and interests; provided, the executive shall comply with applicable King County Charter, King County Code and state law requirements in executing such licenses, leases and agreements. (Ord. 11950 § 15 (part), 1995).

28.96.030 Transit vehicles and tunnel platform areas. Public communication activities are prohibited in transit vehicles and tunnel platform areas. (Ord. 11950 § 15 (part), 1995).

28.96.040 Tunnel mezzanine and plaza areas. A. Public communication activities which are otherwise lawful are permitted in mezzanine and plaza areas subject to the prohibitions, limits, exceptions, terms and conditions of this chapter.

B. Signs, leaflets, posters, flyers, pamphlets, brochures and written, pictorial or graphic material of any kind, structures, banners and any other paraphernalia may not be posted or affixed to tunnel property or erected in or on tunnel property.

C. Signs carried by or on a person are permitted, provided the signs are not constructed of a size or material which could inadvertently or intentionally cause injury to a person or property. Signs must not be of a size that obstructs the free flow of pedestrians and must not exceed 36 inches by 36 inches in any case. A "sandwich board" sign must not extend significantly beyond the carrier's shoulders.

D. Public communication activities are not permitted within fifteen (15) feet of any stairway, escalator, elevator, entrance, customer service counter, ticket or automatic teller machine or authorized commercial activity. Public communications activities are not permitted within five (5) feet of any fire safety system component, telephone, information board or news vending machine. Additionally, public communications activities must not block normal pedestrian paths to and from the areas noted above.

E. For safety and security reasons, to ensure that the free flow of pedestrians and the intended transportation functions of the tunnel stations are met, and to accommodate other activities competing for the limited available space, a collective maximum number of individuals allowed to engage in public communications activities at any one tunnel location is hereby established. Because of different station configurations, the number of individuals allowed to engage in public communication activities at the same location and time shall be limited as follows:

Station (Location)	Maximum # of persons
Convention Place (Plaza),	8
Convention Place (Platforms)	0
Westlake (Mezzanine)	8
Westlake (Platforms)	0
University Street (N. Mezzanine)	4
University Street (S. Mezzanine)	4
University Street (Platforms)	0
Pioneer Square (N. Mezzanine)	4
Pioneer Square (S. Mezzanine)	4
Pioneer Square (Platforms)	0
International District (Plaza)	8
International District (Platform)	0

F. A single group whose number of participants is known in advance, or is found at the time, to consist of four (4) or more persons shall be required to obtain a letter of authorization in accordance with subsection E of Section 28.96.060.

G. Individuals or groups engaged in public communication activities who desire to use a table or public address system, loudspeaker or other sound amplifying device must obtain a letter of authorization with the appropriate endorsement(s) in accordance with Sections 28.96.060, 28.96.070, and 28.96.080.

H. Persons engaged in public communications activities in compliance with Section 28.96.020 may nevertheless be required to cease or to move to another specified area within the same or a different tunnel location if the number of persons engaged in public communication activities, their location or their manner of conducting the activities creates safety or security problems, interferes with the free flow of persons into, within, or from a plaza or mezzanine area or interferes with the operation use and quiet enjoyment of the facility or transit service therein. (Ord. 11950 § 15 (part), 1995).

28.96.050 Other passenger facilities. A. Public communications activities which are otherwise lawful are permitted in or on passenger facilities other than the tunnel, subject to the prohibitions, limits, exceptions, terms and conditions of this chapter.

B. Selling or offering for sale books, pamphlets, or any other written, printed or recorded material is prohibited.

C. Soliciting or receiving funds is prohibited regardless of the purpose or method employed.

D. Signs, leaflets, posters, flyers, pamphlets, brochures and written, pictorial or graphic material of any kind, structures, banners and any other paraphernalia may not be posted or affixed to passenger facilities or vehicles parked at such facilities and may not be erected in or on passenger facilities. Provided, however, posting of literature in accordance with department regulations is permitted on kiosks or bulletin boards installed by the department for use by passengers and the general public.

E. Signs carried by or on a person are permitted provided the signs are not constructed of a size or material which could inadvertently or intentionally cause injury to a person or property. Signs must not be of a size that obstructs the free flow of pedestrians and must not exceed 36 inches by 36 inches in any case. A "sandwich board" sign must not extend significantly beyond the carrier's shoulders.

F. Public communication activities are not be permitted in parking areas or roadways. Public communication activities must not block any loading zone, signage, stairway, escalator, elevator, customer service counter, ticket or automatic teller machine, authorized commercial activity, any fire safety system component, telephone, information board or the normal pedestrian paths to and from such areas.

G. For safety and security reasons and to ensure that the free flow of pedestrians and the intended transportation functions of the passenger facilities are met, a collective maximum number of individuals allowed to engage in public communications activities at any one passenger facility may be established by the department based on the size and configuration of the facility.

H. A single group whose number of participants is known in advance, or is found at the time, to consist of four (4) or more persons shall be required to obtain a letter of authorization in accordance with Section 28.96.060, subject to the department's determination of a collective maximum number of individuals, representing the same or different group or cause, which may be authorized at each passenger facility.

I. Persons engaged in public communications activities in compliance with this chapter may nevertheless be required to cease or to move to another specified area within the passenger facility if the number of persons engaged in the activities, their location or their manner of conducting the activities create safety or security problems, interfere with the free flow of persons into, within or from transit vehicles or passenger facilities, or interfere with the operation, use and quiet enjoyment of transit vehicles, passenger facilities or public transportation services.

J. Persons engaged in public communication activities in or on passenger facilities shall not use any parking spaces provided at such facilities unless they are also using a public transportation service.

K. Persons engaged in public communication activities who desire to use a public address system, a loudspeaker or other sound amplifying device must obtain a letter of authorization with the appropriate endorsement in accordance with 28.96.060 and 28.96.080. (Ord. 11950 § 15(part), 1995).

28.96.060 Letter of authorization. A. A letter of authorization will be issued on a first-come, first-served basis, subject to availability, and will be valid for a specific location, date, and time period. Actual use of a letter will be limited to the normal hours and days during which a specified location is open for public access. No more than two (2) letters will be issued for a given location, date and time period to individuals representing the same group or cause.

B. A letter of authorization may be obtained in-person from the department during normal county business hours for same-day use or may be obtained up to seven (7) days in advance of the date of intended use. Mailed requests for letters of authorization must be received at least ten (10) days prior to the date of intended use to allow time for return receipt.

C. Persons or groups who are issued letters of authorization shall, as a precondition to the issuance of the letter, agree to indemnify, defend and hold harmless the county and its officers, agents and employees from all suits, claims, actions and damages of whatsoever kind or nature arising out of or resulting from the persons' or groups' use of the premises, except to the extent caused by the negligence of the county and its officers, agents and employees. Such persons or groups shall further covenant and agree to specifically assume potential liability for actions brought by their own employees against the county and its officers, agents and employees and, for that purpose only, they shall specifically waive any immunity under the workers' compensation act, Title 51 RCW.

D. A letter of authorization may be transferred to another person engaged in the same activity provided the receiving party complies with the conditions of the letter and retains it on his/her person during the activity.

E. Persons issued a letter of authorization will be required to have it on their person or with their group when engaged in their activity. At the request of a county employee or a law enforcement officer, persons or groups engaged in public communication activities must produce a valid letter for the date, time period and location of the activities if they are utilizing a table, using sound amplification equipment, or where four (4) or more persons are engaged in the activity. Persons or groups without a valid Letter will be required to cease their activities until a valid letter is obtained or the activities are conducted without a table, sound amplification equipment or involving less than four (4) individuals.

F. Letters of authorization may not be reproduced or altered in any manner. Reproduced or altered letters will be considered invalid and confiscated. The holder of the invalid letter will be required to cease their activity until a valid letter is obtained or the activity is conducted without a table, sound amplification equipment or involving less than four (4) individuals.

G. A letter of authorization (with or without a table or sound amplification endorsement) may be revoked immediately if:

1. The person or group engaged in the public communication activity violates this chapter or any applicable federal, state or local law; or

2. The activity has attracted a crowd of sufficient size so as to begin to adversely affect the safety, security or rights of others, the free flow of pedestrians, or the normal operational requirements of the facility.

Once a letter has been revoked, an individual or group shall not continue their activity until another letter has been obtained. If the letter has been revoked, any table or sound amplification equipment involved in the terminated activity must be removed immediately, together with all related materials, by the individual(s) involved. No table, equipment or other materials may be left behind unattended or stored on the premises. (Ord. 11950 § 15(part), 1995).

28.96.070 Table endorsement: tunnel plaza and mezzanine levels only.

A. Persons requesting a letter of authorization to engage in public communication activities in a tunnel plaza or mezzanine area may, at their option, indicate a desire to provide a table to store, display, and distribute materials in conjunction with their activity. If the maximum number of tables allowed per station area has not already been committed for the desired date, a Table Endorsement will be indicated on the letter.

B. The maximum number of tables permitted per station location will be equal to one-half the collective maximum number of persons allowed to be simultaneously engaged in public communication activities for that location, i.e., four (4) tables per station. At University Street and Pioneer Square stations, however, only two (2) tables will be allowed per split mezzanine.

C. Tables may be used in accordance with the following conditions:

1. The table shall not exceed four (4) feet in width by eight (8) feet in length.

2. A maximum of three (3) chairs will be permitted at each table.

3. The table/chairs must be supplied by the letter holder, and must be removed prior to the close of a station for the day, or the time period for which the letter of authorization is valid, whichever is earliest. A table must be attended at all times unless the letter holder is physically present within the area and can maintain sight of the table at all times.

4. Tables may not be located within 15 feet of any stairway, escalator, elevator, fire safety system component, telephone, customer service counter, information board, ticket or news vending machine, entrance, exit, or authorized commercial activity within a designated area. Additionally, tables may not block normal pedestrian paths to or from the areas noted above.

5. Members of the same group or organization may simultaneously operated a second table at a given station after 12:00 noon on a given day, provided the maximum number of tables and/or persons engaged in public communication activities for a stated time period and location is not exceeded. A separate letter of authorization, with a "table endorsement" must be requested and issued for a second table.

6. Materials must be stored on top of or beneath each table. Under no circumstances may the table, chair, stored articles or person(s) staffing the table obstruct the free flow of persons moving within or through a station.

7. Signs, leaflets or other materials may be affixed to the table. No signs, leaflets or other materials may be posted or erected within station facilities unless space has otherwise been provided for such use.

8. The county shall not be responsible for any table, chair(s), or any materials around, under or upon the table. (Ord. 11950 § 15(part), 1995).

28.96.080 Sound amplification endorsement: tunnel plaza and mezzanine level only. A. When the use of a loudspeaker system or other sound amplifying device is desired in conjunction with a public communication activity in a tunnel plaza or mezzanine area, a written request must be received by the department at least fourteen (14) days in advance of the date of intended use. The request should state the type and amplification power of the system/device proposed for use. The department will review the request and grant, grant with restrictions or deny the request. Only one sound amplification endorsement will be issued for a given location, time period and day. Exceeding the maximum permitted sound level under local or state law is prohibited and shall be grounds for revocation of a letter of authorization.

B. If approved the department, a sound amplification endorsement will be indicated on a letter of authorization sent to the applicant, along with any special requirements or restrictions associated with the equipment's use. The letter must be kept on-site when the equipment is in use. If the "sound amplification" request cannot be approved, but a letter of authorization for other purposes is still appropriate, the latter may be issued, accompanied by an explanation for why the original request could not be accommodated. (Ord. 11950 § 15(part), 1995).

III. COMMERCIAL ACTIVITIES

28.96.210 Regulation of commercial activities on transit property. As part of its proprietary function as the provider of public transportation, the county seeks to generate revenue from the commercial use of transit vehicles, the tunnel and other passenger facilities to the extent such commercial activity is consistent with the security, safety, comfort and convenience of its passengers. Accordingly, all commercial activity is prohibited on transit property except as may be permitted by the county in a written permit, concession contract, license agreement, advertising agreement or other written agreement. Provided, however, posting of commercial literature in accordance with department regulations is permitted on kiosks or bulletin boards installed by the department for use by passengers and the general public for such purpose. (Ord. 11950 § 16, 1995).

IV. SPECIAL EVENTS

28.96.310 Regulation of special events on tunnel property. A. Subject to the terms of this chapter and compliance with all applicable regulations and approvals required under state and local law, the department, at its sole discretion, may permit other organizations to use tunnel facilities for receptions, running events and similar special events.

B. At a minimum, the department shall consider the following in determining whether or not to permit a special event at a tunnel facility.

1. Safety or security risks;
2. Impediments to the free flow of transportation system users and other pedestrians during regular operating hours under normal or potential emergency conditions;
3. Interference with tunnel operations and maintenance activities, including scheduled construction, testing, training, and routine operations and maintenance;
4. Interference with approved commercial activities;
5. Availability of adequate space and necessary utilities to accommodate the event;

6. Need for additional maintenance and security caused by the event; and
7. Ability of event sponsor to reimburse the department for any additional expenses incurred as a result of permitting the special event.

C. The department may, at its sole discretion, preclude entirely, specify a location or on a monthly, quarterly, or annual basis, establish a maximum number of special events that may be accommodated at a given station, or throughout the tunnel system, considering such physical, operational and safety-related constraints as the following:

1. Sufficient space must remain available to accommodate normal use of tunnel services.
2. The absence of overhead sprinkler systems in some stations may preclude all or certain types of special events at those locations.
3. No special events will be permitted on platform levels of any station during revenue service periods.
4. Routine, one-time, or emergency circumstances associated with system maintenance, training, or operations may at times preclude the scheduling of, or result in the cancellation of, a special event.

D. Application for permission to use a tunnel facility for a special event shall be submitted, along with a detailed event plan, to the department at least forty-five (45) days in advance of the desired event date. The event sponsor shall be responsible for obtaining any permits required by external agencies (e.g., Seattle Fire, Engineering, or Health departments, etc.) prior to the department granting permission to use the tunnel facility.

E. Applicants whose special event has been approved will be required to enter into a written agreement with the county which may include the following terms and conditions as deemed necessary and appropriate by the department;

1. User fee, rental rate or combination thereof;
2. Limitation to only activities which have been specifically described in the approved event plan;
3. Payment of a deposit or bond (if determined appropriate);
4. Proof of insurance of the type and in the amount specified by the county;
5. Indemnity and defense of the county in any claim arising as a direct or indirect result of the activity;
6. Cost-recovery provision ensuring reimbursement for any physical damages to county property or other costs incurred by the county as a result of the event (i.e., increased maintenance, security, etc., not covered by a basic user fee or rental rate);
7. Provision for termination of the agreement by the county due to non-compliance with the terms of the agreement or unreasonable or unanticipated conflict with normal operation and maintenance of the tunnel;
8. Conditions specific to the event including but not limited to, such conditions as the date, time and specific location of the event and any requirements for utilities, safety devices, security and cleanup. (Ord. 11950 § 17, 1995).

V. ENFORCEMENT

28.96.410 General. In addition to any other remedies and sanctions available under applicable civil and criminal federal, state and local law, a person violating the rules and provision of this chapter shall be subject to the following:

- A. Immediate expulsion from transit properties;
- B. Suspension of the privilege of entering upon and using the transit system and properties;
- C. Civil penalties if the violation constitutes an infraction; and
- D. Criminal penalties if the violation constitutes a misdemeanor.

The classification of a violation as either an infraction or a misdemeanor under Section 28.96.010 shall not limit or preclude any action or prosecution from being undertaken pursuant to another applicable local, state or federal law. (Ord. 11950 § 18(part), 1995).

28.96.420 Immediate expulsion. Any person violating a rule or provision of Sections 28.96.010 through 28.96.310 or any federal, state or local law may be ordered to leave transit property by a commissioned peace officer, department personnel as authorized by the director or authorized personnel of a contracted service provider in accordance with the terms of the applicable service contract. Failure to immediately comply with such an expulsion order shall be grounds for prosecution for criminal trespass. (Ord. 11950 § 18(part), 1995).

28.96.430 Suspension of use privileges. Violation of a rule or provision of this chapter or any federal, state or local law shall be cause for suspension of a person's privileges to enter upon transit property and use the transit system. Such a suspension may be ordered by department personnel authorized by the director or by the authorized personnel of a contracted service provider in accordance with the terms of the applicable service contract. Notice of such suspension shall be in writing and shall inform the person suspended of the cause, the period of the suspension, and that failure to comply shall be grounds for criminal prosecution. Service of the suspension notice may be accomplished by personal delivery or by mailing a copy, addressed to the person's last known address, by certified U.S. mail. Unless otherwise specified on the notice, the suspension shall take effect immediately upon actual or constructive receipt of the notice by the person being excluded. A person may not defeat the effectiveness of a suspension by refusing to accept the notice. Receipt of the notice is construed to have been accomplished if the person knew or reasonably should have known from the circumstances that his/her privileges to enter upon transit property and use the transit system have been suspended. Receipt of the notice is also construed to have been accomplished two (2) days after a suspension notice is placed in the U.S. mail. Failure to immediately comply with such a suspension order shall be grounds for prosecution for criminal trespass.

A person whose use privileges have been suspended may submit a written request for a review of the suspension, which request must be received by the director within ten (10) calendar days after the effective date of the suspension. Upon receiving a timely request, the director shall designate a person to review the suspension. The suspended person may orally present his/her reasons why the suspension should not be served, by phone or in person at a time and location mutually agreed upon with the reviewer. Within ten (10) calendar days after the suspended person presents his/her reasons, the reviewer shall make a decision affirming, modifying or terminating the suspension. The reviewer's decision shall be final. (Ord. 11950 § 18(part), 1995).

28.96.440 Infractions - penalty. A person who is guilty of committing an infraction under Section 28.96.010A shall be subject to a monetary penalty of not more than five hundred dollars (\$500.00) plus statutory assessments. Any person cited for a civil infraction shall be subject to the applicable Rules for Courts of Limited Jurisdiction and penalty schedules. (Ord. 11950 § 18(part), 1995).

28.96.450 Misdemeanors - penalty. A person who is guilty of committing misdemeanor infraction under Section 28.96.010B shall be subject to a fine of not more than one thousand dollars (\$1,000) and by imprisonment in the county jail for not more than ninety (90) days, or both. (Ord. 11950 § 18(part), 1995).

28.96.610 Limitation of obligations. Nothing in the rules or requirements set forth in this chapter shall create a duty to any person on the part of the county or form any basis for liability on the part of the county, the members of its council, its agents or employees. The obligation to comply with said chapters is solely that of any persons entering upon transit property and the county's enforcement of said chapters is discretionary, not mandatory. (Ord. 11950 § 19, 1995).