

**ORDINANCE REPEALING CHAPTER 24 ARTICLE V OF THE
DURHAM COUNTY CODE OF ORDINANCES
COMMUTE TRIP REDUCTION**

WHEREAS, the County originally adopted a Commute Trip Reduction Program Ordinance, Chapter 24, Article V, of the Durham County Code of Ordinances, on February 28, 2000 to mitigate the impact of traffic by requiring businesses to mitigate the impact of their employees' commutes, which Ordinance has been amended from time to time; and

WHEREAS, the County has successfully implemented the program throughout the years with the assistance of Triangle Transit Authority and the County's local employers; and

WHEREAS, the North Carolina Legislature recently amended NC Gen. Stat. §153A-145.1 to specifically prohibit counties from enacting an ordinance, rule or regulation that requires employers to assume responsibility for the mitigation of the impact of his or her employee's commute or transportation to or from the employer's workplace, which may result in the employer being subject to any fine, fee or negative consequence, see S.L. 2013-413; and

WHEREAS, because the amendment to NC Gen. Stat. 153A-145.1 invalidates the County's Commute Trip Reduction Ordinance, the Board of County Commissioners must repeal it.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS FOR THE COUNTY OF DURHAM DOETH ORDAIN:

- 1) That Chapter 24, Article V, of the Durham County Code of Ordinances, known as the Commute Trip Reduction Ordinance, is hereby repealed in its entirety.
- 2) This repeal shall be effective upon adoption.

Adopted this the 28th day of October, 2013.

Fred Foster, Jr., Chair

V. Michelle Parker-Evans, Clerk