

Transportation and Oversized Load Permit Conditions

City of Montclair

All persons and entities who apply for a transportation permit shall acknowledge and abide by the codes set by the City Council.

Chapter 10.12 - BUILDING MOVING AND VEHICLE LOAD PERMITS

Sections:

- **10.12.010 - Permit required.**

No person shall move any load over, along or across any street within the City when the weight and/or size of the load, plus the weight and/or size of the vehicle or equipment, exceeds the limitations of the Vehicle Code of the State, except that, where it is impractical to change the physical characteristics of the load, the Engineering Division may issue a permit to move such load and/or vehicle where it is determined that it will not result in damages to public or private property, and will not cause a traffic hazard, and **the applicant will comply with all the requirements and conditions of the Engineering Division.**

(Ord. 99-791 Exh. A (part); prior code § 8-2.01)

- **10.12.020 - Permit applications.**

Any person desiring to move any building or vehicle load through, over or along any street within the City shall first make an application for a permit to so do. The application shall be made in writing upon forms furnished by the Engineering Division. Each application shall set forth a description of the building or vehicle load proposed to be moved, together with a detailed description of the load, including the materials of which the same is constructed; the dimensions, and if it is a building, the condition of the interior and the condition of the exterior of the building; the description of the lot from which the building is to be moved, giving the street and number thereof if located within the City; the description of the lot to which it is proposed such building is to be moved, giving the street and number of such lot if located within the City; the portion of the lot to be occupied by the building when moved; and a statement that the owner will comply with all the laws governing the removal of the building and the maintenance of the building when moved. The application shall also state the streets and portions of streets over which the building or vehicle load is proposed to be moved.

(Ord. 99-791 Exh. A (part); prior code § 8-2.02)

- **10.12.030 - Save harmless agreement and liability insurance.**

On each application, the applicant or the applicant's agent shall sign a statement agreeing to preserve and save harmless the City, and each officer and employee thereof, from any liability or responsibility for any accident, loss or damage to persons or property happening or occurring as the proximate result of the applicant's activities pursuant to the permit for which application has been made.

The permittee shall save harmless the City, and its officers, agents and employees, of and from any and all liability or responsibility for any property damage or loss, injury or death to any person arising out of or occurring as the proximate result of any of the work or movement undertaken.

The permittee shall show proof of public liability and property damage insurance in the amount of not less than One Million (1,000,000) Dollars combined single limits with respect to any property damage aforesaid.

(Ord. 99-791 Exh. A (part); prior code § 8-2.04)

- **10.12.040 - Fees required.**

At the time of filing the application for a building moving or vehicle load permit with the Engineering Division, the applicant shall pay a moving permit fee as set forth by City Council resolution.

(Ord. 99-791 Exh. A (part); prior code § 8-2.06)

- **10.12.050 - Issuance of permits.**

Upon the filing of the application in the manner and form prescribed by this chapter, and upon showing proof of liability insurance, and upon the payment of the fees required, the Engineering Division shall issue a permit authorizing the moving of the subject building or vehicle load in accordance with the terms and conditions required by the Engineering Division.

The permit shall designate such streets over which the building or vehicle load may be moved as will interfere as little as possible with traffic on the public streets of the City and as will damage as little as possible any property belonging to the City and any private property which might be damaged by such removal.

(Ord. 99-791 Exh. A (part); prior code § 8-2.08)

- **10.12.060 - Refusal to issue permits.**

Even though the applicant complies with every applicable provision of this chapter and all applicable provisions of other statutes, **the City Engineer may refuse to issue a permit if he or she finds that it is not in the best interests of the general public to do so.**

(Prior code § 8-2.09)

- **10.12.070 - Use of streets.**

No person shall move a building or vehicle load over any street, or part of any street, other than the streets designated in the permit.

(Ord. 99-791 Exh. A (part); prior code § 8-2.10)

- **10.12.080 - Size and weight of buildings and vehicle loads.**

No permit shall be issued for the moving of any building or vehicle load which is sufficiently heavy to injure any street or pavement within the City, or the size of which will obstruct the traffic upon the streets of the City.

(Prior code § 8-2.11)

- **10.12.090 - Hours of moving—Notices.**

Every applicant for the moving of a building or vehicle load through, over or across any public street of the City shall notify the Engineering Division in writing of the day and hour when it is proposed to move the vehicle load or building which notice shall be given not less than 12 hours before the time stated in the notice.

(Ord. 99-791 Exh. A (part); prior code § 8-2.13)

- **10.12.100 - Damages to property—Notices.**

Every person who receives a permit to move any building or vehicle load through, over or across any street in the City shall notify the City Engineer, in writing, of any damage done to property belonging to the City within 24 hours after the damage or injury has occurred.

(Ord. 99-791 Exh. A (part); prior code § 8-2.14)

- **10.12.110 - Warning lights and barricades.**

Every person moving a building or vehicle load through, over or across any street within the City shall cause red lights to be displayed during the nighttime on every side of the building or vehicle load in such a manner as to warn the public of the obstruction and shall, during the daytime, place barricades across the streets in such a manner as to protect the public from damages or injury by reason of the moving of the building or vehicle load and shall, when required by the City Engineer, and when such building is located in any portion of the City where traffic is congested, require the person removing the same to pay the expense of a traffic officer to protect the traveling public from damage and injury.

(Ord. 99-791 Exh. A (part); prior code § 8-2.15)

- **10.12.120 - Permits nontransferable.**

Permits issued under the authority of this chapter shall be nontransferable.

(Prior code § 8-2.16)

- **10.12.130 - Permits available in or on vehicles.**

The permittee shall make the permit available for inspection by the Public Works Director or his/her representative by any peace officer or other person having the responsibility for the safety or maintenance of the City streets. Each permit for moving shall be in or on the vehicle or combination of vehicles to which it refers. In cases where a building or structure is moved in more than one section at the same time, on each section on which the original permit is not attached there shall be fixed a true copy of the original permit.

(Ord. 99-791 Exh. A (part); prior code § 8-2.19)

- **10.12.140 - Cancellation of permits.**

The Public Works Director or his/her representative may cancel the permit unless the activity therein permitted commences and is completed within the time specified in the permit.

(Ord. 99-791 Exh. A (part); prior code § 8-2.20)

- **10.12.150 - Investigations and responsibility.**

The permittee shall be responsible for being aware of all existing facilities lawfully within the City streets that are within the limits of his or her activity. The permittee shall not interfere with any existing public or private facility without the consent of its owner. If it becomes necessary to relocate an existing facility, this shall be done by its owner or with the permission of and to the satisfaction of its owner. The cost of moving publicly and privately owned facilities shall be borne by the permittee, unless he/she makes other arrangements with the owner of the facility(ies).

(Ord. 99-791 Exh. A (part); prior code § 8-2.21)

- **10.12.160 - Expiration of permits—Time extensions.**

Each permit shall specify the time the permit shall become null and void, and the permit shall become null and void on the date so specified, unless the Engineering Division extends the time.

(Ord. 99-791 Exh. A (part); prior code § 8-2.22)

- **Chapter 8.16 - DESIGNATED STREETS**

- **8.16.020 - Truck routes.**

A. Classification. The streets or portions thereof of the City are declared to be and are divided and classified into two groups and shall henceforth be known as and regulated as to heavy traffic by the names of such two groups, together with regulations pertaining thereto as set forth in this section. Such two groups are designated as: unrestricted streets and restricted streets.

B. Unrestricted Streets. The streets designated in this subsection shall henceforth be known and designated as unrestricted streets, and the City imposes no weight restrictions or regulations thereon except as are contained in the Vehicle Code of the State:

1. Arrow Highway, from the westerly City Limits to Benson Avenue;
2. Palo Verde Street from Monte Vista Avenue to Central Avenue;
3. Holt Boulevard, from Mills Avenue to Central Avenue;
4. Mission Boulevard, from the westerly City Limits to Central Avenue;

5. Monte Vista Avenue, from Palo Verde Street to the northerly City Limits;
6. Central Avenue, from the northerly City Limits to the southerly City Limits;
7. Monte Vista Avenue from Mission Boulevard to Holt Boulevard; and
8. Brooks Street from Ramona Avenue to a point 1,650 feet east of the centerline of Monte Vista Avenue.

C. Restricted Streets. It is unlawful for any person owning or operating any motor vehicle or truck-trailer combination exceeding a maximum gross weight of 10,000 pounds to drive or propel the same, or to cause or permit the same to be driven or propelled, at any time upon, over or across any and all streets or portions of streets not otherwise classified as unrestricted streets.

D. Exceptions. The provisions of this section shall not prohibit any vehicle or truck-trailer combination exceeding the prescribed maximum gross weight limit, coming from an unrestricted or less restricted street, having ingress and egress by direct route to and from such restricted streets, when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets, and for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building, structure, or street upon such restricted street; but then only by such deviation from the nearest unrestricted or less restricted street as is reasonably necessary.

E. Exemptions. The provisions of this section shall not apply to:

1. Passenger buses under the jurisdiction of the Public Utilities Commission of the State;
2. Any vehicle owned by a public utility while necessarily in use in the construction, installation, servicing, or repair of any public utility;
3. Emergency vehicles of the City;
4. School buses under the jurisdiction of any school district;
5. Any vehicle owned by the City while necessarily in use in the construction, installation, servicing, or repair of any City-owned facility;
6. Any vehicle owned or operated by contractor or subcontractor under contract with the City while in use in the construction, installation, servicing, or repair of any City-owned facility; or
7. Refuse collection vehicles.

F. Signs. The City Council, in accordance with the provisions of Section 35701 of the Vehicle Code of the State, determines that notice of the provisions of this section will best be given by posting unrestricted streets affected by the provisions of this section, and the City Engineer is authorized to post appropriate signs on any such street, which signs shall state and declare the load limits established by the provisions of this section. The City Engineer may post appropriate signs on restricted streets as he/she deems necessary.

G. Proof of Compliance. Any police officer shall have the authority to require any person driving or in control of any vehicle proceeding over a street to proceed to any public or private scale within a radius

of 10 miles for the purpose of weighing such vehicles and determining whether there has been compliance with the provisions of this section.

H. Weight Violations—Penalty. Any person in violation of the provisions of this section shall be subject to the penalties set forth in [Chapter 1.12](#) of the Montclair Municipal Code.

(Ord. 06-874 § 1 (part); Ord. 99-791 Exh. A (part); prior code § 4-4.1309)

(Ord. No. 14-947, § 1, 10-20-14; Ord. No. 16-959, § 1, 9-19-16)