

ORDINANCE NO. 1394

AN ORDINANCE OF THE CITY OF RUSTON, ESTABLISHING VEHICLE WEIGHT LIMITATIONS ON CERTAIN CITY STREETS, AMENDING RMC 16.07.010 AND ADOPTING THE FOLLOWING NEW SECTIONS 16.07.020, 16.07.030 AND 16.07.040 INTO THE RUSTON MUNICIPAL CODE, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, certain streets within the City limits have been damaged by heavy truck traffic; and

WHEREAS, there are alternate routes for heavy truck traffic on streets that can better handle the load; and

WHEREAS, RCW 46.44.080 permits the City to restrict certain types of trucks from using certain streets within the City; and

WHEREAS, in order to ensure that Ruston's streets remain in good repair, the City Council finds it in the City's best interest to restrict large trucks from use of the following streets in a manner consistent with State law: Winnifred Street – between 49th Street and 54th Street; Baltimore Street; 49th Street – between Orchard Street and Pearl Street; and 54th Street – between Pearl Street and Bennett Street; between 52nd Street and 53rd Street; and

WHEREAS, on January 15, 2013, the City Council held the first reading of this Ordinance; and

WHEREAS, on February 5, 2013, the City Council adopted this Ordinance during its regular meeting at the second reading; NOW, THEREFORE

**THE CITY COUNCIL OF THE CITY OF RUSTON DOES HEREBY ORDAIN AS
FOLLOWS:**

Section 1. Section 16.07.010 of the Ruston Municipal Code is hereby modified to read as follows:

16.07.010 Definitions. ~~Maximum load limits upon nonarterial streets.~~

As used in this chapter, the following terms shall have the following meanings:

A. "Motor truck" means any motor vehicle designated or used for the transportation of commodities, merchandise, produce, freight or animals; except that pickup trucks, campers, motor homes, recreational vehicles and vehicles licensed for 12,000 pounds gross, or less, shall not be considered motor trucks for the purposes of this chapter.

B. "Oversized vehicle" means any motor vehicle exceeding the outside width limit of eight and one-half feet as set forth in RCW 46.44.010.

- ~~(a) Weight Restrictions. No person shall operate a vehicle except authorized emergency vehicles, buses or stages exceeding 7,000 pounds empty weight upon Baltimore Street, or upon any street that is not designated an arterial street; provided, that this section shall not prohibit necessary local operations on such nonarterial streets for the purpose of reaching the vehicle's destination or for a pickup or delivery.~~
- ~~(b) Signage. In accordance with RCW 46.61.450, the Town of Ruston shall cause suitable signs stating maximum gross weight to be erected and maintained as directed by the Town Engineer.~~
- ~~(c) Penalty. Pursuant to RCW 46.63.020 and 46.63.110, a violation of RCW 46.61.450 is designated as a traffic infraction punishable by a monetary penalty. In the event that the State Supreme Court fails to prescribe a penalty for violation of RCW 46.61.450 pursuant to RCW 46.63.110(2), a violation of the weight and size restrictions herein shall be punished by a penalty in an amount equal to that established by the State Supreme Court for infraction rules for courts of limited jurisdiction, Rule 6.2 (monetary penalty schedule for traffic infractions), as now or hereafter amended, for violations of posted road restrictions.~~
- ~~(d) Authority. Nothing contained in this chapter shall be read to limit or reduce the authority of the Town of Ruston or other appropriate authority authorized by law from placing temporary weight restrictions, or from closing any road in the Town of Ruston due to emergencies.~~

Section 2. A new section 16.07.020 is hereby added to the Ruston Municipal Code to read as follows:

16.07.020 Weight limits on Winnifred Street, Baltimore Street, 49th Street, 52nd Street, 53rd Street and 54th Street.

No person shall operate a motor truck or oversized vehicle of three or more axles which is more than 6,000 pounds unladen weight on any of the following streets in the City limits of Ruston unless specifically exempt under RMC 16.07.030:

- A. Winnifred Street – between 49th Street and 54th Street;
- B. Baltimore Street;
- C. 49th Street – between Orchard Street and Pearl Street;
- D. 52nd Street– between Pearl Street and Bennett Street;
- E. 53rd Street – between Pearl Street and Bennett Street; or
- F. 54th Street – between Pearl Street and Bennett Street.

Section 3. A new section 16.07.030 is hereby added to the Ruston Municipal Code to read as follows:

16.07.030 Exemptions.

The following vehicles shall be exempt from the prohibition in RMC 16.07.020:

- A. Emergency vehicles.
- B. School buses.
- C. Motor trucks and oversized vehicles may be operated on the prohibited street only when transporting perishable commodities when alternate routes do not exist.
- D. Motor trucks and oversized vehicles may be operated on the prohibited street when installing, repairing or maintaining a public utility that is accessed from the street in question.
- E. Motor trucks and oversized vehicles may be operated on the prohibited street when making pickups or deliveries to businesses or residences that are accessed from the street in question only when alternate routes do not exist.
- F. Motor trucks and oversized vehicles may be operated on the prohibited street when servicing construction sites accessed from the street in question only when alternate routes do not exist.
- G. Garbage and recycling collection motor trucks may be operated on the prohibited street when providing services to premises accessed from the street in question.

Motor trucks and oversized vehicles covered by this exemption shall limit their use of the prohibited street only to use which is reasonably necessary to accomplish the function that allows them to be exempt.

Section 4. A new section 16.07.040 is hereby added to the Ruston Municipal Code to read as follows:

16.07.040 Penalties.

Any person 18 years of age or over who violates RMC 16.07.020 shall be subject to issuance of a civil infraction in accordance with Chapter 9.22 RMC.

Section 5. A new section 16.07.050 is hereby added to the Ruston Municipal Code to read as follows:

16.07.050 Authority.

Nothing contained in this chapter shall be read to limit or reduce the authority of the City of Ruston or other appropriate authority authorized by law from placing temporary weight restrictions, or from closing any road in the City of Ruston due to emergencies.

Section 6. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional 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 7. Publication. This Ordinance shall be published by an approved summary consisting of the title.

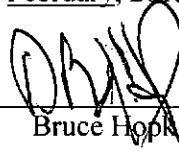
Section 8. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

Section 9. Enforcement of Ordinance – Erection of Signs. The Mayor is directed to arrange for the preparation and erection of signs on the streets listed in Section 2 (RMC 16.07.020) which designates which streets, or portions of streets, are off-limits to motor trucks or oversized vehicles of three or more axles which is more than 6,000 pounds unladen weight. This

Ordinance shall not be effective or enforced until such time as these signs are installed.

ADOPTED by the City Council of the City of Ruston and attested by the City Clerk in authentication of such passage on this 5th day of February, 2013.

APPROVED by the Mayor this 5th day of February, 2013.



Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:



Judy Grams, City Clerk

APPROVED AS TO FORM:

Office of the City Attorney

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
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