

CITY OF BLACK DIAMOND, WASHINGTON

Ordinance No. 09-896

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, AMENDING BLACK DIAMOND MUNICIPAL CODE SECTION 10.12.020 TO ALLOW GOODS AND MATERIALS TO BE DELIVERED TO AND PICKED UP FROM LOCATIONS WITHIN THE CITY BY VEHICLES EXCEEDING THE POSTED GROSS VEHICLE WEIGHT LIMIT.

WHEREAS, streets within the city limits of Black Diamond are relatively old and narrow, constructed at a time when vehicles using those streets were considerably lighter than those which now regularly travel upon said streets; and

WHEREAS, as designed and constructed, the city streets are inadequate for the heavy loads imposed upon them by the current, daily truck traffic; and

WHEREAS, the City owned rights-of-way on said streets are also generally narrow, so that the streets themselves cannot be expanded or otherwise improved so as to accommodate the heavier traffic; and

WHEREAS, City streets are sustaining serious and substantial damage caused by said truck travel, damage which the City does not have the financial resources to promptly repair; and

WHEREAS, RCW 46.44.080 authorizes local authorities to impose vehicle weight limits on city streets whenever any street, because of certain conditions, will be seriously damaged or destroyed unless the permissible weights of vehicles thereon is reduced; and

WHEREAS, the recent closing of the Green River Bridge on SR 169 has resulted in increased trucks on city streets; and

WHEREAS, although the City has already imposed a gross vehicle weight limit to protect its streets from further serious damage or destruction, it is necessary, in order to protect the local businesses, to allow vehicles exceeding the gross weight limits to make deliveries into the City, and remove materials from within the City for delivery outside of the City in vehicles that may exceed the gross vehicle weight, now, therefore,

THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY,
WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Black Diamond Municipal Code Section 10.12.020 is hereby amended to read as follows:

10.12.020 Exceptions to Maximum Gross Weight.

The following vehicles shall be exempt from the weight limitations imposed in Section 10.12.010:

- A. Vehicles owned and operated by the City;
- B. School buses;
- C. Emergency vehicles;
- D. Trucks transporting perishable commodities or commodities necessary for the health and welfare of local residents;
- E. Garbage trucks;
- F. Vehicles making deliveries to destinations located on City streets; and
- G. Vehicles transporting materials, such as rock and gravel, that are mined, manufactured or created within the City limits for transport to locations within or outside of the City.

Section 2. This Ordinance is hereby designated as a Public Emergency Ordinance necessary for the protection of the public health, safety, public property or the public peace and shall be effective upon its adoption. A summary of this Ordinance may be published in lieu of publishing the Ordinance in its entirety.

Section 3. If any provision of this Ordinance is determined to be invalid or unenforceable for any reason, the remaining provisions of this Ordinance shall remain in force and effect.

Introduced the 2d day of April, 2009.


Passed by 5 yes votes and 0 no votes by the City Council at a meeting held on the 2d day of April, 2009.

CITY OF BLACK DIAMOND



Mayor Howard Botts

ATTESTED BY:



Brenda L. Streepy, City Clerk

APPROVED AS TO FORM:

Loren D. Combs, City Attorney