

CITY OF BLACK DIAMOND, WASHINGTON

Ordinance No. 09-903

**AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, AMENDING BLACK DIAMOND MUNICIPAL CODE SECTION 10.12.010 TO EXEMPT LAWSON STREET & ROBERTS DRIVE FROM THE REGULATED GROSS VEHICLE WEIGHT LIMITS ESTABLISHED UNDER 10.12.020.**

WHEREAS, the emergency closure of the Green River Bridge on State Route 169 has reduced the routes available to heavy truck commercial traffic; and

WHEREAS, the closure of the bridge also resulted in the City of Black Diamond limiting use of certain streets by heavy trucks in order to prevent significant and costly damage to streets and roads that were not designed to handle such traffic; and

WHEREAS, the weight restriction on certain streets is now preventing long-established businesses that utilize heavy commercial trucks from accessing their property, causing an immediate and drastic impact on the ability of these businesses to operate profitably at a time when the serious economic recession has already placed local business under severe strain; and

WHEREAS, since local business and the jobs and taxes they generate make most public services possible, the City and its residents will benefit more overall from allowing heavy trucks to use Lawson Street and Roberts Drive during this period that other means of access are unavailable due to the emergency closure of the Green River Bridge.

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 10.12.010 is hereby amended to read as follows:

**10.12.010 Maximum gross weight.**

Except as permitted in Section 10.12.020, it is unlawful for any person to operate upon a city street, road, or alley other than Third Avenue (State Route 169), Lawson Street, or Roberts Drive a vehicle whose registered gross weight equals or exceeds ten tons.

EMERGENCY ORDINANCE

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 23rd day of April, 2009.

Passed by 5 yes votes and 0 no votes by the City Council at a meeting held on the 23d day of April, 2009.

CITY OF BLACK DIAMOND

  
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Mayor Howard Botts

ATTESTED BY:

  
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Brenda L. Streepy, City Clerk

APPROVED AS TO FORM:

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Loren D. Combs, City Attorney