

CITY OF BLACK DIAMOND, WASHINGTON

Ordinance No. 08-878

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, AMENDING BLACK DIAMOND MUNICIPAL CODE SECTION 10.12.010 BY IMPOSING A TEN (10) TON GROSS REGISTERED VEHICLE WEIGHT LIMITATION ON VEHICLES TRAVELING ON CITY STREETS EXCLUDING THIRD AVENUE (STATE ROUTE 169) AND DECLARING THIS ORDINANCE A PUBLIC EMERGENCY AND THUS EFFECTIVE IMMEDIATELY

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 will result in increased trucks on city streets; and

WHEREAS, unless weight limitation is imposed which restricts traffic to vehicles ten (10) tons or less, the City streets will continue to be seriously damaged and/or destroyed; and

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 Black Diamond Municipal Code Section 10.12.020, it is unlawful for any person to operate upon a city street or alley other than Third Avenue (State Route 169) a vehicle whose registered gross vehicle weight equals or exceeds ten (10) tons.

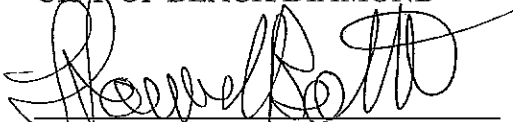
Section 2. This Ordinance is hereby designated as a Public Emergency Ordinance necessary for the protection of the public health, safety, public property or the public peace and shall be effective upon its adoption. A summary of this Ordinance may be published in lieu of publishing the Ordinance in its 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 20th day of November, 2008.

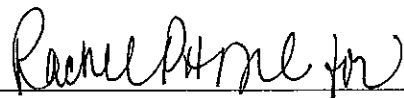
Unanimously passed by the City Council at a meeting held on the 20th day of November, 2008.

CITY OF BLACK DIAMOND



Mayor Howard Botts

ATTESTED BY:



Brenda Streepy, City Clerk

APPROVED AS TO FORM:

Loren D. Combs, City Attorney