

ORDINANCE NO. 6 6 3 3

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING SECTIONS 9.90.020 AND 10.36.190 OF THE AUBURN CITY CODE, CREATING A PERMIT FOR TRUCK PARKING ON CITY STREETS AND RESTRICTING THE MOVEMENT OF LARGE VEHICLES IN THE DOWNTOWN URBAN CENTER

WHEREAS, the parking of trucks with a gross weight of 16,000 pounds or more upon city streets creates congestion, significantly reduces parking for smaller vehicles, and interferes with sight distances for the traveling public; and

WHEREAS, the weight of larger trucks and unattached commercial trailers exceeds the capacity for the shoulder of some city streets causing damage to those streets; and

WHEREAS, the Auburn Police Department has observed that many of the trucks that park on City of Auburn streets are registered to residents of surrounding cities and not to Auburn residents; and

WHEREAS, RCW 46.44.080 authorizes cities to prohibit the operation of vehicles upon city streets and impose limits as to the weight of vehicles traveling on those streets, as a city deems necessary; and

WHEREAS, the downtown area lies at the intersection of several travel corridors, has a higher frequency of pedestrian and bike travel, consists of shorter blocks, and is bordered by two designated truck routes; and

WHEREAS, the operation of trucks with a gross weight exceeding 16,000 pounds within the downtown area of Auburn can seriously damage the downtown streets and presents a safety hazard to other vehicles and pedestrians; and

WHEREAS, prohibiting all travel of large trucks within the downtown Auburn area would impose an austere economic impact upon individuals moving into downtown residences and upon the few downtown businesses that regularly receive deliveries in trucks of 16,000 pounds or more; and

WHEREAS, the creation of a downtown traffic control zone will not inhibit the travel of large trucks not having business within the Auburn downtown area as those vehicles may use the designated truck routes on C Street NW and Auburn Way South to access other Auburn locations.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

Section 1. Amendment to City Code. That section 9.90.020 of the Auburn City Code be and the same hereby is amended to read as follows:

9.90.020 Truck route designation and restrictions.

A. The city's designated truck routes shall be as identified in the city's comprehensive transportation plan. Streets designated as future truck routes shall not be considered truck routes for the purpose of this chapter.

B. All through truck trips, with origins and destinations outside the Auburn city limits, shall take place on the designated city or state truck routes, as identified in the city's comprehensive transportation plan.

C. Signage identifying a corridor as a truck route shall be placed along public highways, roads, streets, and thoroughfares included in the designated truck network.

D. All streets not designated as truck routes within the limits of the city of Auburn shall be restricted to allow only vehicles rated under 30,000 pounds GW, except for local truck trips which shall be defined, for the purpose of this chapter, as all truck trips with origins or destinations within the limits of the city of Auburn. No trucks of 16,000 pounds or more may travel within the downtown traffic control zone, except as provided in subsection G of this section.

E. A truck making a local truck trip shall travel by city truck routes to a location as close to its delivery or pickup point as possible and then travel to that destination by the shortest route practicable, remaining on the city's arterial street network whenever possible. Local truck trips may be subject to route restrictions by the city engineer or designee as provided for in the Auburn City Code.

F. All trucks, whether conducting through or local trips, must be in conformance with the Washington State legal limits for trucks, unless granted a permit from the city for overweight truck hauling. Overweight truck hauling without a city-issued permit shall be a civil infraction subject to the penalties identified in RCW Title 46.

G. Except as provided for in this section, no person shall operate any vehicle with a gross vehicle weight rating of 16,000 pounds or more, as indicated on the vehicle or in the records of the Washington State Department of Motor Vehicles for the vehicle, on any street, alley or public right-of-way in the downtown traffic control zone.

1. The downtown traffic control zone is the area from east of C Street NW/SW to west of Auburn Way N/S and from north of 3rd Street SW/SE and Cross Street SE to south of 3rd Street NW/NE and 4th Street NE.

2. A vehicle with a gross vehicle weight rating of 16,000 pounds or more, as indicated in the records of the Washington State Department of Motor Vehicles for the vehicle, may operate in the downtown traffic control zone if the vehicle:

a. is traveling within the downtown traffic control zone for the purpose of making a delivery to a property located within the downtown traffic control zone, or returning from such a delivery;

b. originated from a property located in the downtown traffic control zone;

c. is a public transit, school bus, or emergency vehicle; or

d. is operating on a truck route specifically designated in the City Comprehensive Transportation Plan.

E. Vehicles exceeding the state legal load or size limit are prohibited in the downtown traffic control zone unless they have received a city-issued haul route permit under this code. (Ord. 6093 § 1, 2007; Ord. 5682 § 1, 2002; Ord. 5319 § 2, 1999. Formerly 9.12.020.)

Section 2. Amendment to City Code. That section 10.36.190 of the Auburn City Code be and the same hereby is amended to read as follows:

10.36.190 Commercial vehicles and large vehicles.

A. Except as provided for in this section, ~~no person shall parking~~ any vehicle with a gross vehicle weight rating of 16,000 pounds or more, as indicated on the vehicle or in the records of the Washington State Department of Motor Vehicles for the vehicle, on any street, alley or public right-of-way in the city is prohibited.

B. Parking vehicles with a gross vehicle weight rating of 16,000 pounds or more, as indicated on the vehicle or as indicated in the records of the Washington State Department of Motor Vehicles, is permitted for vehicles displaying a valid city-issued large truck parking permit in the following locations on the lower half of the driver's side door. Vehicles must be registered to

an Auburn, Washington resident with an Auburn, Washington business license within the corporate limits of the city, as set forth below.

1. Truck Parking on public streets is only allowed with a valid city issued truck parking permit at the following locations:

a1. D Street NW both sides, between 44th Street NW and S 277th Street, where where legal practical;

2. 44th Street NW south side, west of D Street NW and east of the Union Pacific RR right-of-way;

b3. E Street NE west side, between 23rd Street NE and 26th Street NE;

c4. Lund Road SW east side, W. Main Street to end.

2. The Department of Community Development and Public Works shall process applications for large truck parking permits. The application for a parking permit shall be submitted on forms obtained from that department and shall contain all the information required by the city. Proof of residency of the owner or lessee of a vehicle must be presented when applying for a permit. The applicant shall sign and certify the information furnished on the application. The permit holder shall report any changes of address or changes in vehicle registration. A change of residential or business address to outside the corporate limits of the City of Auburn shall require surrender of the permit to the city.

3. Only City of Auburn residents with a valid Auburn, Washington business license for a business located within the corporate limits of the city are eligible for a permit. Eligible residents are limited to one (1) large truck parking permit. "Resident" as used in this chapter applies only to a person who lives in a residence, and does not include a person occupying property used exclusively as a place of business, or occupying property used for any other purpose other than as the person's place of abode.

4. Permits shall be automatically revoked or suspended upon revocation or suspension of the resident's business license, and shall be valid only as long as the resident's business license is valid. A permit holder shall surrender such permit to the city upon written notification. Failure to surrender a permit, when so requested, shall be a violation of law subject to the process and penalties in ACC 1.25.

5. A permit shall be valid for a calendar year and will renew automatically when the permit holder's business license is renewed, unless the permit holder requests otherwise. At its discretion, the city may simultaneously issue to a resident parking permits for two calendar years if also issuing to that resident business licenses covering two calendar years.

6. Once granted, a permit shall be effective for the vehicle identified upon the resident's permit application and it shall not be assignable or transferable to any other vehicle. A displayed parking permit shall be valid only in the locations described in this section. The permit does not guarantee a parking space nor shall it exempt the vehicle or operator from other regulations of this

code. If a permit has been lost, stolen or destroyed, the city will reissue the permit if the resident's business license is currently valid.

7. To be valid, a permit shall be affixed in a permanent fashion by its adhesive face to the lower half of the driver's side door of the vehicle.

C. Commercial vehicles may be stopped or parked in other safe locations while in the process of actively loading, unloading or providing services to residences or businesses in the immediate vicinity of where the vehicle is parked; provided, that the free flow of traffic is unobstructed.

D. The penalty for parking in violation of this section shall be a fine of \$250.00 per violation, in addition to other costs and assessments provided by law. A violation of this section shall be considered a parking infraction and shall be processed in accordance with the state statutes, court rules and city ordinances regarding parking infractions. Each calendar day during which a violation occurs shall constitute a separate infraction, and each instance when a commercial vehicle parks at a location in violation of this section shall be a separate violation.

E. The provisions of this section do not apply to recreational vehicles as regulated by ACC 10.36.191. Additionally, parking larger vehicles on or along certain arterial streets within residential zoning districts is further regulated by ACC 10.36.193.

F. This section does not permit or authorize anyone to park any vehicle weighing more than 16,000 pounds on any street within the city that does not have adequate space for parking or where parking is otherwise prohibited. (Ord. 6404 § 1, 2012; Ord. 6273 § 1, 2009; Ord. 6222 § 2, 2009; Ord. 6035 § 1, 2006; Ord. 6030 § 1, 2006; Ord. 5943 § 1, 2005; Ord. 5492 § 1, 2001.)

Section 3. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 4. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 4. Effective date. This Ordinance shall take effect and be in full force on January 1, 2017, and five days after its passage, approval and publication as provided by law.

INTRODUCED: DEC - 5 2016

PASSED: DEC - 5 2016

APPROVED: DEC - 5 2016

Nancy Backus
NANCY BACKUS, MAYOR

ATTEST:

Danielle E. Daskam
Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

Daniel B. Heid
Daniel B. Heid, City Attorney

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