

ORDINANCE NO. 608, 1997

An ordinance establishing emergency load limitations on county roads

BE IT ORDAINED BY THE CLALLAM COUNTY BOARD OF COMMISSIONERS:

C.C.C. 9.35

Emergency Load Limitation on County Roads

Sections:

9.35.010	Authority
9.35.020	Declaration of Purpose
9.35.030	Definitions
9.35.040	Emergency Load Limitations
9.35.050	Special Load Limitations for Authorized Vehicles
9.35.060	Maximum Speed Permitted on Posted Roads
9.35.070	Penalty
9.35.080	Action for Damage
9.35.090	Severability
9.35.100	Effective Date

C.C.C.9.35.010. Authority. Pursuant to RCW 46.44.080, Clallam County may prohibit or restrict vehicle operation or vehicle weight whenever any county road, by reason of rain, snow, climatic or other conditions, will be seriously damaged or destroyed unless the operation of vehicles thereon be prohibited or restricted or their permissible weights reduced (such periods hereafter referred to as "load sensitive periods"). The Board of County Commissioners of Clallam County, Washington, upon recommendation of the County Engineer, has deemed it advisable to place certain restrictions on various county roads during load sensitive periods to protect such roadways from extensive damage.

C.C.C. 9.35.020. Declaration of Purpose. It is the policy of the Board of County Commissioners to establish general emergency load limitations upon county roads during load sensitive periods; to establish special load limitations for school buses, motor trucks transporting perishable commodities, or commodities necessary to the health and welfare of county residents, and motor vehicles providing services necessary for health and welfare, when such emergency load limitations are in effect; to request the Clallam County Sheriff's office assistance with weight control enforcement.

C.C.C. 9.35.030 Definitions. The definitions in this Ordinance shall control the meaning of terms used herein. Where no definition is expressly stated herein, a term shall have that meaning clearly indicated by, or reasonably implied from, the context in which such term is used.

"Authorized Emergency Vehicle" means any vehicle of any fire department, police department, sheriff's office, coroner, prosecuting attorney, Washington State Patrol, ambulance service, public or private, which need not be classified, registered, or authorized by the State Patrol.

"Commodity necessary for health and welfare" means any thing provided to the public which is necessary to provide essential shelter, food, or fuel to people and animals.

"County Engineer" means the Clallam county engineer, or his/her designee.

“County Road” means every public highway or part thereof, outside the limit of cities and towns, and which has not been designated as a state highway, and which is shown on the Clallam County road log..

“Gross Weight” means the total vehicle weight including load.

“Truck” means any motor vehicle designed or used for the transportation of commodities, merchandise, produce, freight, animals or other things.

“Perishable commodity” means a product of agriculture, aquaculture, or manufacture which by its nature is subject to destruction, decay, deterioration, or spoilage except under proper conditions.

“Person” includes every natural person, firm, copartnership, corporation, association, or organization.

“Tire” includes every tire of rubber or other resilient material designed to be inflated with compressed air to support the load thereon.

“School bus” means every motor vehicle used regularly to transport children to and from school or in connection with school activities, which is subject to the requirements set forth in the most recent edition of “Specifications for School Buses” published by the State Superintendent of Public Instruction, but does not include buses operated by common carrier in urban transportation of school children.

“Service necessary for health and welfare” means any service provided to the public which is necessary to maintain essential power, gas, communications, garbage, sewer and water services for the public.

“Tire width”, means the maximum overall normal inflated width, as stipulated by the manufacturer, when inflated to the pressure specified and without load thereon.

“Vehicle” includes every device capable of being moved upon a public highway and in, upon or by which any person or property is or may be transported or drawn upon a public highway.

C.C.C. 9.35.040. Emergency Load Limitations. When the County Engineer determines that, during load sensitive periods, vehicles whose gross tire loads exceed those described in this section will seriously damage or destroy a county road, the County Engineer may impose the following limits on vehicle weights, except for authorized emergency vehicles.

CONVENTIONAL TIRES		TUBELESS OR SPECIAL WIDTH .5 MARKING	
SIZE TIRE WIDTH	GROSS LOAD EACH TIRE	SIZE TIRE WIDTH	GROSS LOAD EACH TIRE
7.00 and under	1800 lbs.	8-22.5 and under	1800 lbs.
7.50	1800 lbs.	9-22.5	1900 lbs.
8.25	1900 lbs.	10-22.5	2250 lbs.
9.00	2250 lbs.	11-22.5	2750 lbs.
10.00	2750 lbs.	11-24.5	2750 lbs.
11.00 and over	3000 lbs.	12-22.5 and over	3000 lbs.

The emergency load limitations imposed by this section shall become effective upon the erection and maintenance by the County Engineer of signs designating the load limitations (visible to the operator of a vehicle as he/she enters the restricted area), and shall remain in effect until the load sensitive period ends and such signs are removed by the County Engineer.

C.C.C. 9.35.050. Special Load Limitations for Authorized Vehicles. In accordance with RCW 46.44.080, the operation (upon any county road within the county) of a vehicle or combination of vehicles exceeding the maximum loads specified in Section 9.35.040 above, to the following classes of vehicles:

- a. Schoolbuses (no extracurricular activities).
- b. Milk trucks with dual tires on rear axles and on trailers.
- c. Trucks hauling perishable commodities. Drivers must be able to show proof that at least fifty percent (50%) of their load is fresh produce and/or perishables.
- d. Garbage vehicles making pickups required for health, e.g., schools, hospitals and institutions.
- e. Dead animal services required for health reasons.
- f. Vehicles or emergency equipment vendors hauling medical supplies (gases, drugs, etc.).
- g. Feed trucks.
- h. Fuel trucks.
- i. Vehicles engaged in septic tank pumping - emergency basis, one trip only.
- j. Public transportation vehicles.
- k. Vehicles providing service necessary for health and welfare.

Operating a vehicle in one of the classes of vehicles listed in Section 9.35.050 shall be subject to the following conditions.

- a. The gross weight of such vehicle shall not exceed that amount determined by multiplying the total number of tires concentrated upon the surface of the road times the maximum allowable gross weight per tire;
- b. No allowance shall be made for any second gear axle suspended from the frame of the vehicle independent of the regular driving axle, otherwise known as "rigid tail-axles";
- c. Allowance will be made for single tires only on the front of a vehicle;
- d. The load distribution on any axle of a vehicle shall be such that it will not load the tires on said axle in excess of the prescribed load, as set forth above, and any loading in excess of the specified maximum will be considered a violation of this Ordinance;

- e. In an attempt to comply with requirements of this section, the power unit of any combination shall be sufficiently designed to lawfully handle the designated weight;

The following limits on vehicle weights shall apply to vehicles operating under Section 9.35.050.

CONVENTIONAL TIRES		TUBELESS OR SPECIAL WIDTH .5 MARKING	
SIZE TIRE WIDTH	GROSS LOAD EACH TIRE	SIZE TIRE WIDTH	GROSS LOAD EACH TIRE
7.00 and under	1800 lbs.	8-22.5 and under	1800 lbs.
7.50	2000 lbs.	9-22.5	2200 lbs.
8.25	2200 lbs.	10-22.5	2600 lbs.
9.00	2600 lbs.	11-22.5	3200 lbs.
10.00	3200 lbs.	11-24.5	3200 lbs.
11.00	3600 lbs.	12-22.5	3600 lbs.

If a vehicle has 10 inch or wider tires on the front axle and otherwise qualifies for a permit, the vehicle may be allowed to have 10,000 pounds gross weight on said front axle under emergency load limitations.

Tires over eleven inches (11") in width may be operated for loads of three thousand pounds (3,000 lbs.) plus four hundred (400 lbs.) per inch of tire in excess of eleven inches (11"), up to five thousand two hundred fifty pound (5,250 lbs.) per tire.

Any vehicle operating under Section 9.35.050 shall not exceed twenty-five miles per hour (25 m.p.h.) on any county road subject to emergency load limitations.

Where a specific hardship occurs, variances from these weight limitations may, in the discretion of the County Engineer, be issued on a case-by-case basis. Such variances may allow a vehicle to exceed the gross weight limits of this section, subject to specified times and routes of movement needed to protect the county roads from serious damage.

C.C.C. 9.35.060. Maximum Speed Permitted on Posted Roads. Except where applicable law specifies a lower speed, the County Engineer may post a reduced speed limit as low as twenty-five (25) miles per hour upon any county road under emergency load limitations.

C.C.C. 9.35.070. Penalty. Any person violating any emergency load limitations on a county road during a load sensitive period shall be in violation of this Ordinance. A violation of this Ordinance shall constitute a traffic infraction under the provisions of RCW 46.44.080, and RCW 46.44.150. subjecting the violator to the monetary penalties provided in RCW 46.44 and 46.61.

C.C.C. 9.35.080. Action for Damage. Any person operating a motor vehicle upon any county road in violation of any provision of this Ordinance shall be liable under RCW 46.44.110 and RCW 46.44.120 for any damage caused to such county road as the result of such violation.

C.C.C. 9.35.090. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portion of

this chapter; it being expressly declared that this chapter, and each section, paragraph, sentence, clause and phrase thereof would have been adopted irrespective of the fact that any one (1) or more other sections, clauses, or phrases be declared invalid or unconstitutional.

C.C.C. 9.35.100. Effective Date. This chapter shall take effect 10 days after adoption.

PASSED AND ADOPTED this 4th day of February, 1997.

BOARD OF CLALLAM COUNTY COMMISSIONERS

Martha M. Deland
Chair

Carol Y. Boardman
Commissioner

John Kette
Commissioner

ATTEST:

Karen Flores
Karen Flores
Clerk of the Board

Approved as to Form:

Christopher Wey
Deputy Prosecuting Attorney

cc: Roads
Minutes