

ORDINANCE NO. 46

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, ADOPTING BY REFERENCE CHAPTERS 10.08, AUTHORITY TO REGULATE TRAFFIC, 10.16, UNIFORM TRAFFIC CONTROL DEVICES, 10.20, VEHICLE EQUIPMENT, AND 10.28, MOVEMENT OF OVERLEGAL LOADS ON ROADS AND HIGHWAYS, AS REGULATIONS OF THE CITY

WHEREAS; the City of University Place will incorporate on August 31, 1995; and

WHEREAS, the City will be contracting with Pierce County to provide police services to residents of the City at least on an interim basis during the post incorporation period; and

WHEREAS, Pierce County deputy sheriffs are familiar with the Pierce County Code; and

WHEREAS, allowing Pierce County deputy sheriffs to continue to enforce certain Pierce County Code provisions within the City after incorporation both promotes the public welfare and allows police officers to make an orderly transition to the enforcement of criminal and traffic codes which the City of University Place will enact after incorporation; and

WHEREAS, the City wishes to adopt certain traffic regulations for the City; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Authority to adopt Pierce County Code. Pursuant to RCW 35A.12.140 and 35A.13.180, the City adopts by reference Chapters 10.08, 10.16, 10.20, and 10.28 of the Pierce County Code, as presently constituted or hereinafter amended, as regulations of the City.

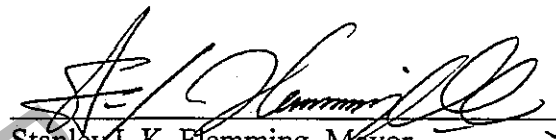
Section 2. Adoption of Administrative Rules. There are hereby further adopted by reference any and all implementing and administrative rules and enforcement remedies now in effect regarding Vehicles and Traffic that have been adopted pursuant to Pierce County Code Chapters 2.06 and 10.08, 10.16, 10.20 and 10.28 except that, unless the context requires otherwise, any reference to the "County" or to "Pierce County" shall refer to the City of University Place, and any reference to County staff shall refer to the City Manager or designee.

Section 3. Adoption of Certain Other Laws. To the extent that any provision of the Pierce County Code, or any other law, rule or regulation referenced in Chapters 10.08, 10.16, 10.20 and 10.28 is necessary or convenient to establish the validity, enforceable or interpretation of these chapters, then such provision of the Pierce County Code and Chapter, or other law, rule or regulation, is hereby adopted by reference.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 5. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force on the date of incorporation.

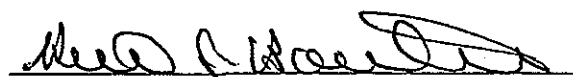
PASSED BY THE CITY COUNCIL ON AUGUST 21, 1995


Stanley L.K. Flemming, Mayor

ATTEST:


Susan Matthew, Interim City Clerk

APPROVED AS TO FORM:


Robert J. Backstein, Interim City Attorney

Date of Publication: August 24, 1995
Effective Date: August 31, 1995

Chapter 10.08

AUTHORITY TO REGULATE TRAFFIC

Sections:

- 10.08.010 Authority of County Engineer.
- 10.08.020 Authority of County Council.

10.08.010 Authority of County Engineer.

The County Engineer may place and maintain official traffic-control devices to regulate, warn or guide traffic; designate marks, lines and crosswalks; regulate the timing of traffic signals; erect stop signs, yield signs and no-parking signs; establish bus stops, bus stands and taxicab stands; impose weight and size restrictions; and test new or proposed traffic-control devices under actual conditions of traffic, all pursuant to the provisions of RCW 46.90.265, Sections 1, 2, 3, 5, 6, 7, 8, 9, 11, 13, 15, 16, 17, 18, 19, 22 and 23. (Ord. 84-118 § 2 (part), 1984; prior Code § 90.01.010)

10.08.020 Authority of County Council.

The County Council may by ordinance adopt additional requirements regulating the flow; direction and type of traffic permitted on County roads such as the setting of speed limits, designation of arterial highways, one-way highways, parking meter zones, parking on highways, angle parking and highway closures, pursuant to the provisions of RCW 46.90.270. (Ord. 84-118 § 2 (part), 1984; prior Code § 90.01.020)

Chapter 10.16

UNIFORM TRAFFIC-CONTROL DEVICES

Section:

10.16.010 Adopted.

10.16.010 Adopted.

The 1978 Edition of the "Manual on Uniform Traffic-Control Devices for Streets and Highways," as amended by Revision Number One, Revision Number Two and Revision Number Three, of the United States Department of Transportation, Federal Highway Administration, together with resolution and modifications thereto for the State of Washington, approved by the Washington State Highway Commission is adopted. (Ord. 85-108 § 1, 1985; Ord. 84-115 § 1, 1984; Ord. 81-115 § 1, 1982; Res. 22154 § 1, 1980; prior Code § 46.02.010)

Chapter 10.20

VEHICLE EQUIPMENT

Sections:

- 10.20.010 Activation by Compression of Engine Prohibited.**
- 10.20.020 When Tire Chains Required.**

10.20.010 Activation by Compression of Engine Prohibited.

A. The use of brakes which are in any way activated or operated by the compression of the engine of a motor vehicle or of any unit or part thereof is prohibited on those parts of County roads which are posted with signs prohibiting use of such brakes.

B. The violation of any provision of this Chapter constitutes a misdemeanor.

(Ord. 84-117 § 1, 1984; prior Code §§ 46.05.020, 46.05.030)

10.20.020 When Tire Chains Required.

A. It is unlawful for any person to operate a motor vehicle upon any County road of Pierce County, without approved traction devices when said County road is posted with signs requiring the use of approved traction devices on motor vehicles using said County road.

B. The violation of any provision of this Chapter constitutes a misdemeanor.

(Ord. 84-162 § 1, 1984; prior Code §§ 46.06.020, 46.06.030)

Chapter 10.28

MOVEMENT OF OVERLEGAL LOADS ON ROADS AND HIGHWAYS

Sections:

- 10.28.010 RCW Provisions Incorporated by Reference.
- 10.28.020 Highway Commission Regulations Govern Issuance of Permits.
- 10.28.030 Overlegal Loads - Permits Required.
- 10.28.040 Permits Issued - Categories.
- 10.28.050 Permits for Moving Buildings.
- 10.28.060 Escort Cars.
- 10.28.070 Equipment.
- 10.28.080 Requirements for Daylight and Darkness Moves.
- 10.28.090 Permits for Single Trips.
- 10.28.100 Annual Permits.
- 10.28.110 Penalties for Violations.
- 10.28.120 Forfeitures.

10.28.010 RCW Provisions Incorporated by Reference.

The specifications regarding overlegal loads set forth in RCW Chapter 46.44 or as amended in this Chapter are incorporated by reference and applicable as if set out verbatim. (Ord. 85-55 § 1 (part), 1985; prior Code § 46.50.010)

10.28.020 Highway Commission Regulations Govern Issuance of Permits.

The provisions set forth in the publication "Overweight/Oversize Vehicle Permits," issued by the Washington State Department of Transportation, Maintenance and Operations Permit Office revised 1983 edition and any subsequent revisions, will govern the issuance of permits for overlegal loads not otherwise covered in this Chapter. (Ord. 85-55 § 1 (part), 1985; prior Code § 46.50.020)

10.28.030 Overlegal Loads - Permits Required.

Permits will be issued by the Pierce County Public Works Department, Franchises and Right-of-way Permits Section. All moves of overlegal loads on the streets, roads and highways of the County shall require permits. (Ord. 85-55 § 1 (part), 1985; prior Code 46.50.030)

10.28.040 Permits Issued - Categories.

Permits will be issued by the Public Works Department, Franchises and Right-of-way Permits Section, to cover all overlegal, in either size or weight, moves within the County. These moves fall into the following categories:

- A. Equipment moves---single trips, including but not limited to trailers and mobile homes over eight and one-half feet wide;
- B. Equipment moves---multiple trips on a per-year basis;
- C. Building moves.

(Ord. 85-55 § 1 (part), 1985; prior Code § 46.50.040)

10.28.050 Permits for Moving Buildings.

A. No permit to move a building over fourteen feet wide or requiring the use of dollies shall be issued except to authorized house movers. An authorized house mover is defined as one who has submitted a certificate of liability insurance with Pierce County as an additional named insured. Liability insurance shall be in amounts not less than five hundred thousand dollars or a greater amount as set by the Executive or her/his designee, to the end that Pierce County will not have to defend or pay any claims brought as a result of the house or building moving operation. The certificate of liability insurance is to be executed by an insurance agent authorized to do business in the state of Washington, on a form furnished by the County.

B. Before a permit will be issued, the building mover must submit an application to the Public Works Department, Franchises and Right-of-way Permits Section, which shall include all of the following:

1. Type of building to be moved;
2. Present location of building;
3. Proposed new location of building;
4. Proposed route over which it is to move;
5. Building permit number if building is to be located in Pierce County;
6. Date(s) of move;
7. Vehicle description and license plate number for each vehicle, dolly and trailer;
8. Dimensions of building when loaded including all eaves, porches, etc., if attached during movement; and
9. Such other information which may aid the Department in determining whether or not to approve such application.

C. Movement of buildings over fourteen feet wide is prohibited on Fridays after one p.m.; on holidays observed by the County; and during the afternoon of the day preceding said holiday. Permit movement is allowed only during daylight hours, one-half hour before sunrise until one-half hour after sunset.

D. All moves and time of moves must be approved by the Public Works Department, Franchises and Right-of-way Permits Section.

E. It shall be the responsibility of the building mover to:

1. Inspect the proposed route of each move before the application is made;
2. Contact utility companies regarding the moving of wires, poles and/or other obstacles of a similar nature when required;
3. Notify the Pierce County Sheriff Department, Traffic Control Section and the Public Works traffic signal shop of the time of move for coordination of traffic and surveillance of traffic-control devices, both signs and signals;
4. Notify all fire districts into or through which the move will be made; and
5. Obtain permission from the appropriate authorities when the move is to pass through an incorporated area or on a state highway.

F. The following restrictions shall be observed by building movers:

1. Escort cars front and rear will be required on all loads over ten feet wide, on two- and three-lane highways.
2. One escort car in rear will be required on all four-lane highways when the load is over twelve feet wide and up to twenty feet wide. Over twenty feet wide, escort cars front and rear will be required.
3. Special escort requirements may be imposed on the moving of buildings over twenty feet wide.

(Ord. 85-55 § 1 (part), 1985; prior Code § 46.50.050)

10.28.060 Escort Cars.

A. The permit holder or subcontractor shall furnish all escort cars. Escort cars may be passenger cars or two-axle trucks.

B. Escort cars shall be of such design as to afford the driver clear and unobstructed vision both front and rear, be in a safe operational condition and properly licensed. Escort car operators shall be experienced in the operation of escort cars and unnecessary passengers who could distract operators in escort vehicles shall not be permitted.

C. When required, escort cars will travel at a distance of approximately three hundred fifty feet to eight hundred feet in front of and to the rear of the load, or at such reasonable distance as to insure the maximum security to the traveling public.

D. When dictated by hazardous conditions, the escort car driver will act as flag person for traffic-control and will signal by hand or by radio to the towing vehicle driver when he/she can proceed without conflict with approaching traffic. The driver of the rear escort car will act as flag person when hazardous conditions exist, and in turning movements will advise the towing vehicle driver as to clearance and accumulations of overtaking traffic, so the driver can provide an opportunity to pass.

E. Escort car operators shall be properly licensed to operate the vehicle. When uniformed off-duty law enforcement officers act as escorts using official police cars or motorcycles, the preceding escort car requirements shall not be applicable.

F. Two six-inch minimum flashing amber lights or a single rotating flashing beacon will be displayed on the top, above the roofline of escort cars and plainly visible, and shall meet SAE Standard Specifications (SAE J59 5b). These amber lights will operate at all times during movement of oversize units.

(Ord. 85-55 § 1 (part), 1985; prior Code § 46.50.060)

10.28.070 Equipment.

A. Only equipment that has been authorized for moving operations within the County shall be used. All equipment must comply with the equipment requirements of the Washington State Motor Vehicle Laws.

B. Any equipment which breaks down and causes undue delay or any equipment breakdown which occurs frequently is just cause for the Pierce County Public Works Director or her/his designee to rule against further use of such equipment. Such condemned equipment shall not be used until repaired by the mover and repairs are approved by the Director or her/his designee.

C. All dollies shall be licensed and covered by liability insurance. Spare tires or wheels for all dollies will be carried on each move.

D. The towing truck shall have adequate power to start and pull the building being moved on upgrades of five percent. For grades greater than five percent, additional power may be used in the form of a tow at the front of the operation. On downgrades greater than five percent extra braking power may be provided in the form of a hold-back truck in the rear.

E. A second towing truck will be available on each move on an arterial street, capable of continuing the move should the first unit have a breakdown. Should the need arise for outside help to continue the move, the escort officer shall call any outside source available and the cost of such extra help shall be paid by the mover.

F. Tire and axle loading shall comply with Washington State Motor Vehicle load limits.

G. A fifth wheel type suspension with two nonsteering dollies will be acceptable for buildings which do not exceed forty-six feet overall in length. Longer buildings will be moved on steering dollies because of the need for maneuverability.

(Ord. 85-55 § 1 (part), 1985; prior Code § 46.50.090)

10.28.080 Requirements for Daylight and Darkness Moves.

A. The hours and conditions of visibility during which the move is to be allowed will be as indicated on the permit. All oversize loads shall be moved during daylight hours, between one-half hour before sunrise to one-half hour after sundown. Any moves during hours other than daylight hours shall be allowed only at the discretion of the Director of Public Works or her/his designee. Additional requirements may be set for such moves.

B. Wide loads moved during hours of daylight shall display the prescribed 144-square inch red-colored flag on each corner.

(Ord. 85-55 § 1 (part), 1985; prior Code § 46.50.100)

10.28.090 Permits for Single Trips.

A. A permit will be required on a single trip basis for each overlegal load for those who do not have an annual permit.

B. The form will be the same as that used for the authorization of house or building movements and the Public Works Director or her/his designee may, in her/his discretion, promulgate any rules and regulations as may be considered essential to the best interest of the County. Any such special requirements as may be deemed necessary shall

be incorporated into the permit at the time of issuance and made an integral part thereof.

C. Annual permit holders must take out a single trip permit for each load which exceeds one or more of the annual permit limitations.

D. The applicant must submit an application for a permit prior to obtaining said permit.

E. The Public Works Director or her/his designee shall require that each applicant execute an insurance affidavit or submit such other proof of sufficient liability coverage with limits of not less than five hundred thousand dollars or a greater amount as set by the Executive or her/his designee.

(Ord. 85-55 § 1 (part), 1985; prior Code § 46.50.120)

10.28.100 Annual Permits.

A. Annual permits will be issued only to move mobile homes, trailer homes, construction equipment, and farming equipment. The annual permit allows the mover to make as many moves as necessary during the calendar year. The loads shall not exceed certain limitations. These limitations are the same for all annual permits regardless of the nature of the load. These limitations are:

1. Gross weight: equal to maximum allowed by State of Washington special permits;
2. Overall height: 14 feet 0 inches;
3. Overall width: 14 feet 6 inches;
4. Overall length (single-unit vehicles): 65 feet;
5. Overall length (combination-unit vehicles): 75 feet;
6. Overhang is not limited except by overall length specified above.

B. The Pierce County motor vehicle permit form is to be used for all overlegal loads. It will be necessary for issuing personnel to insert the limits listed in items 1 through 5 of Subsection A on the face of each annual permit issued.

C. There are certain additional restrictions placed upon annual permits. These are to be listed on the permit form and are as follows:

1. Weight limited to maximum axle loadings and gross weight permitted by the special permit regulations of the Washington State Highway Commission;
2. An escort car is required for:
 - a. Loads exceeding ten feet in width,
 - b. Single-unit loads exceeding sixty-five feet in length,
 - c. Combination vehicle loads exceeding seventy-five feet in length,
 - d. Overhang exceeding fifteen feet;

3. Annual permit validation (explained below) is required prior to move for:

- a. All loads exceeding 14 feet 0 inches in height,
- b. All moves requiring an escort car if the move is to be made during the hours from seven a.m. to nine a.m. or from four p.m. to six p.m. or on Saturdays, Sundays, or County holidays,

c. All overweight loads on any bridge.

D. All applicants seeking annual permits will be required to show proof of insurance by submitting a standard certificate of liability insurance. Liability insurance shall be in an amount as set by the Washington State Utilities and Transportation Commission. The certificate of insurance must be provided by an insurance representative authorized to do business in the State of Washington.

(Ord. 89-6 § 1, 1989; Ord. 85-55 § 1 (part), 1985; prior Code § 46.50.130)

10.28.110 Penalties for Violations.

Every person convicted of a violation of this Chapter shall be guilty of a misdemeanor. (Ord. 85-55 § 1 (part), 1985; prior Code § 46.50.160)

10.28.120 Forfeitures.

All violations are forfeitable upon recommendation of the Prosecuting Attorney and with concurrence of the court. (Ord. 85-55 § 1 (part), 1985; prior Code § 46.50.170)