



CO00002916

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ORDINANCE NO. 02-067

AUTHORIZING THE COUNTY ENGINEER TO CLOSE OR RESTRICT USE OF COUNTY ROADS ON A TEMPORARY BASIS AND MAKING TECHNICAL AND OTHER REVISIONS TO AND AMENDING SNOHOMISH COUNTY CODE CHAPTERS 13.01.020 AND 13.40.050

WHEREAS, Chapter 13.40.05 of Snohomish County Code, by referring to Chapter 46.44.080 of the Revised Code of Washington, requires that each temporary road closure or restriction be authorized by the County Council through ordinance;

WHEREAS, The County Council has stated their desire that temporary road closures and restrictions be considered administrative duties dealt with by the County Engineer;

WHEREAS, Article XI, § 4 of the Washington State Constitution allows the County Council to delegate the authority to perform administrative functions;

NOW, THEREFORE, BE IT ORDAINED:

Section 1. Snohomish County Code Section 13.01.020, adopted by Ordinance 85-051 on July 3, 1985 and last amended by Ordinance No. 96-028 on June 12, 1996, is amended to read:

13.01.020 Powers of the director and the engineer.

- (1) The director has overall authority for all matters relating to county roads and bridges.
- (2) The engineer shall have the power to:
 - (a) Administer provisions of this title;
 - (b) Prepare and administer procedures implementing this title;
 - (c) Prepare and publish for public use a procedures manual or manuals covering this title.
 - (d) Close or restrict the usage of county roads and bridges for a definite period of time as provided for in Chapter 47.48 RCW
- (3) The engineer hereby delegates to the director of planning and development services the authority to act in accordance with the powers of the engineer, as listed under SCC 13.01.020(2), only as they apply to issuance of permits under chapter 13.60 SCC. In delegating such authority the engineer reserves the right of final decision regarding the provisions of SCC 13.01.020(2).

Section 2. Snohomish County Code Section 13.40.050, adopted by Ordinance 85-051 on July 3, 1985 and last amended by Ordinance 96-028 on June 12, 1996, is amended to read:

13.40.050 Emergency load limitations and defined period closures and restrictions on county roads ~~((Ref. RCW 46.44.080))~~ Ref. Chapter 47.48 RCW).

(1) ~~Engineer's Authority. The engineer, ((with respect to county roads may prohibit the operation thereon of motor trucks or other vehicles or may impose limits as to the weight thereof, or any other restrictions as may be deemed necessary, whether any such public 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 the permissible weights thereof by reduced:))~~ for any definite period of time, may close to travel or restrict county roads to all vehicles or any class of vehicles or declare a lower maximum speed whenever the condition of a county road is such that its continued or unrestricted use by all vehicles or any class of vehicles will greatly damage the road or will be dangerous to traffic or is being constructed, altered, repaired, improved or maintained in such a manner as to require its use or any portion of its use closed or restricted : PROVIDED,

(a) ~~((That whenever a highway has been closed generally to vehicles or specified classes of vehicles, the engineer will by general rule or by special permit authorize the operation thereon of school buses, emergency vehicles, motor trucks transporting perishable commodities or commodities necessary for health and welfare, and motor trucks necessary to provide services necessary for health and welfare under such weight and speed restrictions as the engineer deems necessary to protect the roads from undue damage))~~ That before any county road is closed or restricted to, or the maximum speed limit there on reduced for, all vehicles or any class of vehicles, a notice including the effective date shall be published in one issue of a newspaper of general circulation in the county.

(b) That, on or prior to the date of publication of such notice, the engineer shall erect and maintain, or cause to be erected and maintained signs designating the provisions of this chapter in a conspicuous place at each end of the portion of any county road affected. ~~((thereby, and the provisions of this chapter will not be effective unless and until such signs are erected and maintained.))~~

(c) No county road will be closed sooner than three days after the publication and posting of the notice. However, in cases of emergency or conditions in which the maximum time that the closure or restriction will be in effect is twelve hours or less the engineer may, without publication or delay, close or restrict a county road by posting notices at each end of the closed portion and at all intersecting county roads and state highways.

(2) Emergency Load Limitation--5 Tons. In the event the engineer finds it necessary to restrict the operation of motor trucks and other vehicles, on a particular county road or roads, due to rain, snow, climatic or other conditions, the engineer shall post emergency load limitation signs in accordance with (1)~~((a))~~b) above, limiting vehicle gross weight, including load, to 5 tons or 10,000 pounds: PROVIDED,

(a) The engineer may establish an emergency load limitation of other than 5 tons or 10,000 pounds on a particular county road or roads, where deemed necessary or practical due to particular conditions or circumstances.

(b) Authorized emergency vehicles shall be exempt from any emergency load limitations.

(c) The engineer shall grant special permits to school buses, motor trucks transporting perishable commodities or commodities necessary for health and welfare, and motor trucks necessary to provide services necessary for health and welfare to exceed the emergency load limitation; provided, no such special permit shall authorize nor shall any person operate upon any county road posted as in (1)((a))_b above, any such school bus or motor truck, with a vehicle gross weight, including load, that produces a load upon any tire concentrated upon the surface of the county road in excess of the following load limitations:

CONVENTIONAL TIRES		TUBELESS OR SPECIAL WITH .5 MARKING	
Size Tire Width	Gross Load Each Tire	Size Tire Width	Gross Load Each Tire
7.00	1800 lbs.	8 -- 22.5	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 -- 22.5	2750 lbs.
11.00 and over	3000 lbs.	12 -- 22.5	3000 lbs.

(3) Special Permits -- Application -- Penalty.

(a) Any person operating a school bus or motor truck for which this chapter authorizes a special load permit shall apply in writing to the engineer for such permit.

(b) The application shall contain:

(i) The name, address and telephone number of the registered owner of the school bus or motor truck; and

(ii) The make, model, net weight and year of the school bus or motor truck; and

(iii) The vehicle license plate number of the school bus or motor truck; and

- (iv) The number and width of the tires used on the school bus or motor truck; and
- (v) The weight and nature of the load to be transported on the school bus or motor truck; and
- (vi) The county road or roads upon which the school bus or motor truck will be operated; and
- (vii) A statement whether the special permit is requested for a single trip or continuous operation;
- (viii) A statement of the reason or reasons why the special permit is necessary.

(c) Upon receipt of an application for a special permit containing the information required by this section, the engineer shall issue a permit in the name of the registered owner for the vehicle described in the application subject to the load limitations and conditions of this chapter. The permit shall specify the road or roads for which the permit is issued, and the dates upon which the permit is valid.

(d) Every permit issued under this chapter shall be carried in the vehicle for which the permit was issued at all times the vehicle is operated on any county road.

(4) Special Permits--Limitations.

(a) No person shall operate any vehicle for which a special load limitation permit has been issued upon any county road to which such limitation applies, at a speed in excess of thirty (30) miles per hour, unless otherwise noted on the permit.

(b) No person shall operate any vehicle for which a special load limitation permit has been issued upon any county road other than the roads specified in the permit; provided, that the vehicle may be operated upon any other county road when the vehicle complies with the applicable load limitations for that other county road.

Section 3. Severability and savings. If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

PASSED this 6th day of November, 2002.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ATTEST:

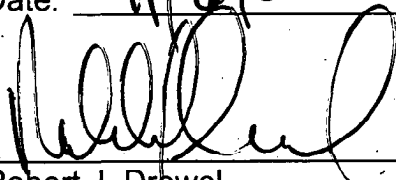
Barbara Dilast
Asst. Clerk of the Council

George D. Nelson
Council Chair

(✓) APPROVED

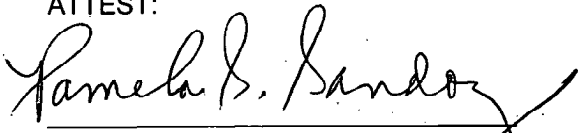
Ordinance Amending SCC Title 13
Authorizing the county engineer to close or restrict County roads on a temporary basis

() EMERGENCY
() VETOED

Date: 11/2/02


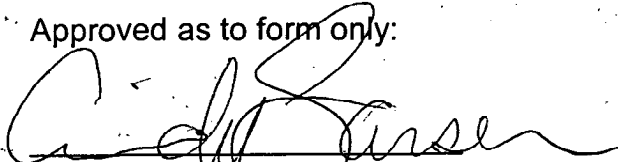
Robert J. Drewel
County Executive

ATTEST:



Admin. Asst. to Executive

Approved as to form only:



Deputy Prosecuting Attorney
Cindy A. Larsen