

ORDINANCE NO. 2014-001

**AN ORDINANCE OF THE CITY OF CITRUS HEIGHTS
REPLACING CHAPTER 94, ARTICLE III, DIVISION 4 "TRUCK ROUTES" OF
THE CITRUS HEIGHTS MUNICIPAL CODE**

The City Council of the City of Citrus Heights does ordain as follows:

SECTION 1. Repeal. The existing Chapter 94, Article III, Division 4 "Truck Routes" of the Citrus Heights Municipal Code is hereby repealed in its entirety.

SECTION 2. Added. Chapter 94, Article III, Division 4 "Truck Routes" is hereby added to read as set forth below:

94-171 - Purpose.

The purpose of the regulations contained in this Ordinance is to accomplish the following goals:

- A. Increase safety for other vehicles, passengers and pedestrians using local streets;
- B. Further the orderly conduct of traffic, the safety of the residents, the protection and preservation of the streets, and the general welfare of the community;
- C. Reduce the ambient noise level associated with vehicular traffic;
- D. Reduce the wear and tear on local streets caused by heavy truck traffic that can lead to early road breakdown, and pose a hazard to nearby residences;
- E. Lower maintenance costs associated to the City by only having limited roads with heavy truck traffic, thereby minimizing the amount of resurfacing and rebuilding that must occur on streets;
- F. Further the goals of the City of Citrus Heights Greenhouse Gas Reduction Plan (GGRP), by addressing sources of Green House Gas emissions in the community that cumulatively contribute to global climate change; and
- G. Provide for improved quality of life for residents and visitors by carrying out the goals set forth in subsections A—F, above.

94-172 - Definitions.

"Commercial Vehicle" means a motor vehicle used or maintained for the transportation of persons for hire, compensation, or profit or designed, used or maintained primarily for the transportation of property, as set forth in California Vehicle Code Section 260, and amended from time to time.

"Local Truck Route" means any street herein designated upon which Trucks with an origin and/or destination within the City of Citrus Heights may operate. STAA Trucks may not operate on Local Truck Routes.

"Restricted Street" means all streets in the City of Citrus Heights except those designated as Local Truck Routes, Through Truck Routes and Terminal Routes as herein established.

"STAA Truck" means any Truck exceeding the legal length under the California Vehicle Code, but in conformance with the Surface Transportation Assistance Act (STAA).

"Through Truck Route" means any street designated by the City Council upon which the unrestricted use of Trucks is permitted. STAA Trucks may not operate on Through Truck Routes.

"Terminal Truck Route" means any street designated in the City of Citrus Heights on which trucks exceeding the legal length under the California Vehicle Code, but in conformance with the Surface Transportation Assistance Act (STAA), may operate.

"Truck" means any Commercial Vehicle or any combination of vehicles exceeding a maximum gross weight limit of five (5) tons.

94-173 - Trucks Prohibited on Restricted Streets.

No person shall operate, drive, or cause or permit to be operated or driven, any Truck on any Restricted Street, except as otherwise in compliance with this Chapter.

94-174 - Establishment of Through Truck Routes, Terminal Truck Routes, Local Truck Routes

A. The City Council shall designate, such streets which are Local Truck Routes, Through Truck Routes and Terminal Truck Routes.

B. The designation by the City Council of a street as a Local Truck Route, Through Truck Route or Terminal Truck Route shall become effective when appropriate signs are in place giving notice of the designation to the public. The City Traffic Engineer shall erect and maintain appropriate signs on those streets.

94-175 - Limitations on Travel.

A. No Truck shall enter or leave the city except on a Through Truck Route, Terminal Truck Route or Local Truck Route, as further specified in this Chapter.

B. All Trucks may operate on Through Truck Routes, with the exception of STAA Trucks which shall only operate on Terminal Truck Routes.

C. Trucks entering the City for destinations outside the City shall operate only on a Through Truck Route or Terminal Truck Route.

D. Trucks entering the City to pick up or deliver freight, merchandise or loads within the City shall operate on a Local Truck Route, Through Truck Route, or Terminal Truck Route, as authorized in this Chapter, and shall deviate therefrom only by the shortest and most direct route between each destination and the nearest Local Truck Route, Through Truck Route, or Terminal Truck Route.

E. Upon leaving each destination within the City, a Truck shall return to the nearest Through Truck Route, Terminal Truck Route or Local Truck Route, as authorized in this Chapter, by the shortest and most direct route.

F. Trucks may leave a designated Truck Route to legally park.

G. Trucks may drive off the Local Truck Route only to pick up or deliver freight, merchandise or loads within the City and they must do so from the Through Truck Route, Terminal Truck Route or Local Truck Route that is closest to the destination site or from a street, road, or highway of an adjoining city or county upon which the vehicle is legally authorized to travel.

94-176 - Weigh-in.

Any police officer shall have the authority to require any person driving or in control of a Truck to proceed to a public or private scale available for weighing of the Truck to determine whether the vehicle is in compliance with this chapter.

94-177 - Exceptions from Limitation on Travel.

Nothing contained herein shall be construed to conflict with the exceptions listed in California Vehicle Code Sections 35400-35414, as amended from time to time. The following vehicles are exempt from the requirements of this chapter:

- A. Passenger buses under the jurisdiction of the Public Utilities Commission of California, public transit vehicles, shuttle vehicles and school buses;
- B. Any Truck owned, leased, operated or controlled by the City;
- C. Any Truck owned, leased, operated or controlled by a public utility while necessarily in use in the construction, maintenance, installation or repair of any public utility;
- D. Any fire apparatus or authorized emergency vehicle;
- E. Any Truck which has been issued, and has displayed, a valid, unexpired permit issued pursuant to Section 94-179 of this Chapter.

94-178 – Violation – Penalties.

- A. It is unlawful to violate this Chapter. Unless state law specifies a different and greater penalty, violations of this chapter shall be punishable as infractions and subject to the following fine schedule:
 - 1. First Violation, a fine not exceeding one hundred dollars (\$100);
 - 2. Second Violation occurring within one (1) year of a prior infraction that resulted in a conviction, a fine not exceeding two hundred dollars (\$200);
 - 3. Third Violation or subsequent infraction occurring within one (1) year of two or more prior infractions that resulted in convictions, a fine not exceeding two hundred and fifty dollars (\$250).
- B. As set forth in California Vehicle Code Section 40000.28, any offense which would be an infraction may be charged as a misdemeanor if a defendant has been convicted of three (3) or more violations of this ordinance within the twelve (12) month period immediately preceding a violation.

94-179 - Extralegal Load, permits and fees.

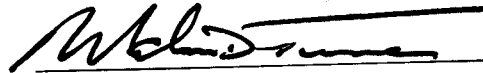
- A.. Any vehicle with an “extralegal load,” as the term is defined by California Vehicle Code Section 320.5, which cannot be reasonably reduced in size or weight so that it can be legally transported without a permit as provided by California Vehicle Code Section 35780, must obtain a transportation permit following application to the Citrus Heights City Engineer. The permit may be issued to each vehicle either on an annual or single-trip basis. Permit holders shall obey any and all reporting requirements and conditions adopted by the City and/or as set forth on the City’s permit. Annual transportation permits are limited to qualified companies whose business is to move commercial loads that would routinely exceed the maximum weight, height, width or length restrictions in the California Vehicle Code.
- B. Fees for the transportation permit shall be set by resolution by the City Council. Additional fees, for special city services necessitated by the permitted transport, shall be paid by the permit holder. The fees shall be collected from the permit holder at the time the permit is issued.
- C. Examples of special services the City may charge for include, but are not limited to, police inspection, police transport, tree trimming, overhead wire and fixture removal, and engineering services. Department heads shall determine the actual cost for each service provided. Nothing in this Section requires that the City be available to provide the special services for the permit holder, but such special services are dependent on the then availability of City staff.

SECTION 3. Severability. If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. Effective Date and Notice. This ordinance shall take effect sixty (60) days after its adoption. Within fifteen (15) days of its adoption, this ordinance shall be published at least once in a newspaper of general circulation published and circulated in the City of Citrus Heights.

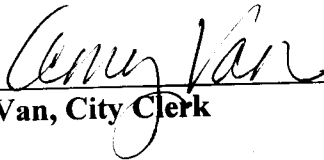
PASSED AND ADOPTED by the City Council of the City of Citrus Heights this 23rd day of January, 2014 by the following vote:

AYES: Bruins, Miller, Slowey, Frost, Turner
NOES:
ABSENT:
ABSTAIN:



Melvin D. Turner, Mayor

ATTEST:



Amy Van, City Clerk