

BEFORE THE CITY COUNCIL OF THE CITY OF LAFAYETTE

IN THE MATTER OF:

An Ordinance of the City Council of the City of)
Lafayette Amending Sections 8-702, 8-703 and 8-704 of)
The Lafayette Municipal Code Regarding Truck Routes)
and Vehicle Weights)

Ordinance No. 646

WHEREAS, Vehicle Code section 35701 et seq. permits the City to establish and enforce truck routes through its jurisdiction;

WHEREAS, the City's current truck route ordinances apply to all trucks over 10,000 pounds in weight; and

WHEREAS, the City Council wishes to clarify that this prohibition includes a vehicle with a manufacturer's Gross Vehicle Weight Rating (GVWR) exceeding 10,000 pounds as this rating represents the weight limit of the vehicle established by its manufacturer and add an additional truck route.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAFAYETTE DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Amendment. Section 8-702 of the Lafayette Municipal Code is hereby amended to read as follows:

"8-702 - Designated truck routes.

The following streets within the city are designated as streets which may be used by vehicles which are then in use for commercial purposes and which exceed a manufacturer's gross vehicle weight rating of 10,000 pounds or more:

- (a) Pleasant Hill Road, from the northerly city limits south to Olympic Boulevard;
- (b) Deer Hill Road, from Oak Hill Road to First Street;
- (c) First Street, from Deer Hill Road to Mt. Diablo Boulevard;
- (d) Oak Hill Road, from Deer Hill Road to Mt. Diablo Boulevard;
- (e) Mt. Diablo Boulevard, from Acalanes Road to Pleasant Hill Road;
- (f) Olympic Boulevard, from Pleasant Hill Road to the easterly city limits;
- (g) Moraga Road, from its intersection with Mt. Diablo Boulevard to the southerly city limits;
- (h) Happy Valley Road, from Deer Hill Road to Mt. Diablo Boulevard."

Section 2. Amendment. Section 8-703 of the Lafayette Municipal Code is hereby amended to read as follows:

"8-703 - Prohibition of use of certain streets.

Except as otherwise provided in Section 8-705 of this chapter, no person shall drive a vehicle which is then in use for commercial purposes and which exceeds a manufacturer's gross vehicle weight rating of 10,000 pounds or more on any street within the city other than those listed in Section 8-702."

Section 3. Amendment. Section 8-704 of the Lafayette Municipal Code is hereby amended to read as follows:

"8-704 - Prohibition of use of certain streets.

Except as otherwise provided in Section 8-705 of this chapter, no person shall drive a vehicle which is then in use for commercial purposes and which exceeds a manufacturer's gross vehicle weight rating of 10,000 pounds or more on any street within the city other than those listed in Section 8-702."

Section 4. The City Council finds and determines that the manufacturer's gross vehicle weight rating for a vehicle provides a maximum gross weight limit. As such, this ordinance regulates the maximum weight of vehicles as set forth in Vehicle Code section 35701 et seq.

Section 5. Effective Date. This Ordinance becomes effective thirty (30) days after its adoption.

Section 6. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be unconstitutional, invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the fact that one or more sections, subsections, subdivision, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective. To this end the provisions of this Ordinance are declared to be severable.

Section 7. Publication. The City Clerk shall either (a) have this Ordinance published in a newspaper of general circulation once within fifteen (15) days after its adoption, or (b) have a summary of this Ordinance published twice in a newspaper of general circulation, once five (5) days before its adoption and again within fifteen (15) days after adoption, including the names of the council members who voted for and against its passage.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Lafayette held on March 14, 2016 and was adopted at a meeting of the City Council held on March 28, 2016 by the following vote:

AYES: Mitchell, M. Anderson, B. Andersson and Reilly

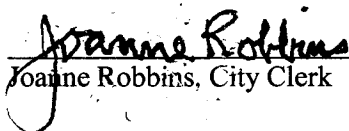
NOES: None

ABSTAIN: None

ABSENT: Tatzin

ATTEST:

APPROVED:


Joanne Robbins, City Clerk


Mark Mitchell, Mayor

Contra Costa Times

175 Lennon Lane, Suite 100
Walnut Creek, CA 94598
925-943-8019

2010502

LAFAYETTE, CITY OF
ATTN: ACCOUNTS PAYABLE
3675 MT. DIABLO BLVD., #210
LAFAYETTE, CA 94549-3793

PROOF OF PUBLICATION

FILE NO. Joanne Robbins Truck Wt Ord

In the matter of

Contra Costa Times

I am a citizen of the United States. I am over the age of eighteen years and I am not a party to or interested in the above entitled matter. I am the Legal Advertising Clerk of the printer and publisher of the Contra Costa Times, a newspaper published in the English language in the City of Walnut Creek, County of Contra Costa, State of California.

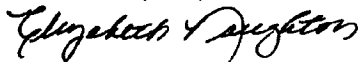
I declare that the Contra Costa Times is a newspaper of general circulation as defined by the laws of the State of California as determined by court decree dated October 22, 1934, Case Number 19764. Said decree states that the Contra Costa Times is adjudged to be a newspaper of general circulation for the City of Walnut Creek, County of Contra Costa and State of California. Said order has not been revoked.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

03/23/2016

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.
On this 5th day of April, 2016.



Signature

Legal No.

0005695892



City Council

Mark Mitchell, Mayor
Mike Anderson, Vice Mayor
Brandt Andersson, Council Member
Traci Reilly, Council Member
Don Tatzin, Council Member

Notice and Summary of Proposed Ordinance to Amend Lafayette Municipal Code Sections 8-702 through 8-704 Regarding Truck Routes and Vehicle Weights

At 7 p.m. on Monday, March 28, 2016, the City Council of the City of Lafayette will consider adoption of an ordinance to amend Lafayette Municipal Code Sections 8-702 through 8-704. This hearing will take place at the Lafayette Library and Learning Center Community Hall (3491 Mt Diablo Blvd, Lafayette, CA 94549).

The purpose of the proposed ordinance amendment is twofold. The first purpose is to redefine the maximum truck weight permissible for travel on City roadways that are not designated truck routes. The second purpose is to add a new designated route, along Happy Valley Road between Mount Diablo Boulevard and Deer Hill Road.

Whereas the current ordinance restricts trucks of more than 10,000 pounds gross weight on non-designated routes, the revised ordinance incorporates a new definition of Gross Vehicle Weight Rating (GVWR) of 10,000 pounds or less. Trucks exceeding the proposed maximum GVWR would still be allowed on non-designated routes for legitimate travel to an address on the subject street, such as making a delivery or servicing a construction project.

The policy will go into effect 30 calendar days after adoption of the ordinance. For any questions associated with the proposed ordinance amendment, please contact James Hinkamp, Transportation Planner for City of Lafayette, at jhinkamp@lovelafayette.org or (925) 299-3229. A certified copy of the full text of the proposed ordinance or proposed amendment shall be posted in the office of the City Clerk 15 days after adoption.

3675 Mount Diablo Boulevard, Suite 210,
Lafayette, CA 94549
Phone: 925.284.1968 Fax: 925.284.3169
www.ci.lafayette.ca.us

CCT #5695892; Mar. 23, 2016

Contra Costa Times

175 Lennon Lane, Suite 100
Walnut Creek, CA 94598
925-943-8019

2010502

LAFAYETTE, CITY OF
ATTN: ACCOUNTS PAYABLE
3675 MT. DIABLO BLVD., #210
LAFAYETTE, CA 94549-3793

PROOF OF PUBLICATION

FILE NO. Joanne Robbins Ord 646 (ZT01-15)

In the matter of

Contra Costa Times

I am a citizen of the United States. I am over the age of eighteen years and I am not a party to or interested in the above entitled matter. I am the Legal Advertising Clerk of the printer and publisher of the Contra Costa Times, a newspaper published in the English language in the City of Walnut Creek, County of Contra Costa, State of California.

I declare that the Contra Costa Times is a newspaper of general circulation as defined by the laws of the State of California as determined by court decree dated October 22, 1934, Case Number 19764. Said decree states that the Contra Costa Times is adjudged to be a newspaper of general circulation for the City of Walnut Creek, County of Contra Costa and State of California. Said order has not been revoked.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

04/06/2016

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.
On this 5th day of April, 2016.

Elizabeth Dreyfuss

Signature

Legal No.

0005705122



City Council

Mark Mitchell, Mayor
Mike Anderson, Vice Mayor
Brandt Andersson, Council Member
Traci Reilly, Council Member
Don Tatzin, Council Member

**NOTICE OF ADOPTION ORDINANCE 646
OF THE CITY COUNCIL OF THE
CITY OF LAFAYETTE
AMENDING SECTIONS SECTIONS 8-702
THROUGH 8-704
OF THE LAFAYETTE MUNICIPAL CODE**

Notice is given that on Monday, March 28, 2016, the City Council of the City of Lafayette adopted Ordinance 646. The recorded vote of the City Council was as follows:
AYES: Mitchell, M. Anderson, B. Andersson and Reilly
NOES: None
ABSTAIN: None
ABSENT: Tatzin

The following is a summary of Ordinance 646 (ZT01-15) amending Sections Sections 8-702 through 8-704 Regarding Truck Routes and Vehicle Weights of the Lafayette Municipal Code:

The purpose of the proposed ordinance amendment is twofold. The first purpose is to redefine the maximum truck weight permissible for travel on City roadways that are not designated truck routes. The second purpose is to add a new designated route, along Happy Valley Road between Mount Diablo Boulevard and Deer Hill Road.

Whereas the current ordinance restricts trucks of more than 10,000 pounds gross weight on non-designated routes, the revised ordinance incorporates a new definition of Gross Vehicle Weight Rating (GVWR) of 10,000 pounds or less. Trucks exceeding the proposed maximum GVWR would still be allowed on non-designated routes for legitimate travel to an address on the subject street, such as making a delivery or servicing a construction project.

Note: The above is a summary of the major highlights of the ordinance. A reading of the entire ordinances is necessary to obtain a full understanding of the ordinances. Certified copies of the full text of the ordinances are posted in the City Clerk's office at 3675 Mt. Diablo Boulevard, Lafayette, California 94549. A copy may be obtained from that office upon payment of the fee based on the City's actual cost of providing the copy.

Joanne Robbins
City Clerk

3675 Mount Diablo Boulevard, Suite 210
Lafayette, CA 94549
Phone: 925.284.1968 Fax: 925.284.3169
www.ci.lafayette.ca.us
CCT #5705122; Apr. 6, 2016