

ORDINANCE NO. 2019-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, AMENDING SECTION 12.35.020 OF THE JURUPA VALLEY MUNICIPAL CODE, PERMISSIBLE VEHICLE WEIGHT ON STREETS, ROADS, HIGHWAYS, AND BRIDGES; TRUCK ROUTES, TO ESTABLISH VEHICLE AND TRUCK WEIGHT RESTRICTIONS, TO ESTABLISH MAXIMUM VEHICLE AND TRUCK WEIGHT RESTRICTIONS OF 16,000 POUNDS ON ETIWANDA AVENUE FROM THE SR 60 FREEWAY TO HOPKINS STREET, AND ON COUNTRY VILLAGE ROAD FROM THE SR 60 FREEWAY TO PHILADELPHIA AVENUE

THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY DOES ORDAIN AS FOLLOWS:

Section 1. Section 12.35.020, Permissible Vehicle Weight on Streets, Roads Highways and Bridges; Truck Routes, of the Jurupa Valley Municipal Code is hereby amended to read as follows:

Sec. 12.35.020. - Permissible vehicle weight on streets, roads, highways, and bridges; truck routes.

- A. *Findings.* The City Council finds that as the City of Jurupa Valley continues to grow and become more urbanized many streets and bridges within and near residential areas are not suitable for use by certain vehicles.
- B. *Purpose.* The purpose of this section is to enable the city to regulate vehicle traffic on streets and bridges in or near residential areas pursuant to provisions in the California Vehicle Code so as to improve quality of life and traffic safety within the City.
- C. *Authority.* This section is adopted pursuant to California Vehicle Code Sections 21101, 35701 through 35705, and 42030.1. Taken together, these Vehicle Code Sections authorize a city to prohibit any commercial vehicle exceeding a certain manufacturer's gross vehicle weight rating, from using certain streets within the City. These Vehicle Code sections also authorize a city to reduce the permissible weight of vehicles and loads upon unimproved streets or bridges. Vehicle Code Section 42030.1 provides a table of monetary fines for violations.
- D. *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
 - (1) *Bridge* means any structure carrying a highway or road over or across a depression or obstacle.
 - (2) *Commercial vehicle* means any vehicle of a type that is required to be registered under the California Vehicle Code used or maintained for the transportation of persons for hire, compensation or profit or designed, used or maintained primarily for the transportation of property.

(3) *Residence district* means that portion of a highway or street and the property contiguous thereto, other than a business district:

- (a) Upon one (1) side of which highway, within a distance of a quarter ($\frac{1}{4}$) of a mile, the contiguous property fronting thereon is occupied by thirteen (13) or more separate dwelling houses or business structures; or
- (b) Upon both sides of which highway or street collectively, within a distance of a quarter ($\frac{1}{4}$) of a mile, the contiguous property fronting thereon is occupied by sixteen (16) or more separate dwelling houses or business structures.

A residence district may be longer than one-quarter ($\frac{1}{4}$) of a mile if the above ratio of separate dwelling houses or business structures to the length of the highway exists.

- (4) *Residential area* means a neighborhood where the prevailing land use is primarily residential, including, but not limited to, an area zoned for single-family and multifamily residences and a residence district.
- (5) *Restricted* means limited to use by vehicles that do not exceed maximum permissible weight prohibitions.
- (6) *Street* means any way or place of whatever nature, including streets, roads and highways that has been dedicated and accepted by the city, or by the County of Riverside prior to the city's incorporation, as a public use road, and is now maintained by the city.
- (7) *Unimproved* means not built to a standard or quality sufficient for acceptance into the city-maintained road system and not maintained by the city.
- (8) *Unrestricted* means not confined to use solely by vehicles weighing under a maximum weight.

E. *Weight prohibitions and reductions.*

- (1) Pursuant to California Vehicle Code Sections 21101(c) and 35701, the City Council prohibits any commercial vehicle exceeding a manufacturer's gross vehicle weight rating of fourteen thousand (14,000) pounds (seven (7) tons) from using any identified street within a residential area for any duration of the day or from using any identified street if the use of such streets may adversely affect traffic circulation or safety within a residential area, except as provided in subsection G. of this section. This subsection continues in effect the current vehicle weight restrictions established by the County of Riverside prior to the incorporation of the city until such time as the Council modifies the weight restriction following engineering review.
- (2) Pursuant to California Vehicle Code Section 21101(c), the City Council prohibits any commercial vehicle exceeding a manufacturer's gross vehicle weight rating of sixteen thousand (16,000) pounds (eight (8) tons) is prohibited from using the following streets or portions of streets within the City, except as provided in subsection G. of this section:

- (a) Etiwanda Avenue from the SR 60 Freeway to Hopkins Street;
 - (b) Country Village Road from the SR 60 Freeway to Philadelphia Avenue.
 - (3) Whenever any ordinance of this city establishes weight restrictions on a street or portion thereof, the Public Works Director is directed and authorized to place and install signs notifying the public of the weight restrictions as he or she may determine will best serve to give notice of a weight restriction to the motoring public in the manner required by California Vehicle Code Section 21103.
- F. *Truck route designations.*
- (1) The City Council shall designate "truck routes" on certain streets for use by a commercial vehicle exceeding a maximum gross vehicle weight rating or gross combination weight rating of ten thousand (10,000) pounds (five (5) tons) or more.
 - (2) Whenever any ordinance of this city designates and describes any street or portion thereof as a truck route, the Public Works Director is directed and authorized to designate such street by appropriate signs as truck routes which shall be posted at all entrances or part thereof affected in the manner required by Vehicle Code Section 21103.
 - (3) When any such truck routes are established and designated by appropriate signs the operator of any vehicle exceeding a maximum gross vehicle weight rating or gross combination weight rating of ten thousand (10,000) pounds (five (5) tons) or more shall drive on such routes and none other except as provided in subsection G. of this section.
- G. *Vehicles exempt from the restrictions of this section.* The restrictions imposed by this section shall not apply to or regulate the following:
- (1) Any commercial vehicle coming from an unrestricted street or bridge having on to a restricted street or bridge by direct route to and from such restricted street or bridge when necessary for the purpose of:
 - (a) Making pickups or deliveries of goods, wares, and merchandise from or to any building or structure located on the restricted street or bridge;
 - (b) For the purpose of delivering materials or services to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon the restricted street or bridge for which a building permit has previously been obtained and is in effect; or
 - (c) For the purpose of delivering workers, equipment, tools and services to a job site to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon the restricted street or bridge for which a building permit has previously been obtained and is in effect.

- (2) Any vehicle owned by a public utility or a licensed contractor performing work for the public utility while necessarily in use in the construction, installation, or repair of any public utility facilities.
- (3) School buses, passenger buses under the jurisdiction of the California Public Utilities Commission and public transit buses;
- (4) Vehicles that have been issued and display a permit pursuant to Chapter 12.10 or 13.10 of this Code.
- (5) Vehicles that are allowed to be parked on private property owned by the owner of the vehicles pursuant to Title 9 of this Code, when using the most direct route to and from an unrestricted street or bridge to access the vehicle owner's property on a restricted street, subject to such further administrative regulations for identification of such vehicles as may be enacted by the City Manager for the implementation of this subsection.
- (6) Emergency response vehicles.
- (7) Any commercial vehicle using any highway, road or bridge by direct route to or from a state highway for the purpose of delivering or loading for transportation goods, wares, or merchandise.
- (8) Vehicles used for the collection or transportation of solid waste, trash, recyclables or green waste by a franchisee of the city or by a business otherwise authorized or permitted by the city for such activity.

H. *Violations and penalties* . Any person violating any provision of this section shall be deemed guilty of an infraction, punishable by a fine or penalty as set by resolution, including Vehicle Code Section 42030.1, to the extent applicable. The city may also enforce the provisions of this section through the enforcement provisions of Title 1.

Section 2. California Environmental Quality Act Findings. On October 3, 2019, prior to the introduction of this Ordinance, the City Council adopted Resolution No. 2019-91, entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE ADOPTION OF AN ORDINANCE AMENDING SECTION 12.35.020 OF THE JURUPA VALLEY MUNICIPAL CODE TO ESTABLISH VEHICLE AND TRUCK WEIGHT RESTRICTIONS ON ETIWANDA AVENUE FROM THE SR 60 FREEWAY TO HOPKINS STREET, AND ON COUNTRY VILLAGE ROAD FROM THE SR 60 FREEWAY TO PHILADELPHIA AVENUE (STATE CLEARINGHOUSE NO. 2018021020)."

Section 3. General Plan Finding. The provisions of this Ordinance are consistent with the City's General Plan and each element thereof.

Section 4. Severability. If any sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each sentence, clause or phrase thereof irrespective of the fact that any one or more sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

Section 5. Effect of Ordinance. This Ordinance is intended to supersede any ordinance or resolution of the County of Riverside adopted by reference by the City of Jurupa Valley in conflict with the terms of this Ordinance.

Section 6. Certification. The City Clerk of the City of Jurupa Valley shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

Section 7. Effective Date. This Ordinance shall take effect on the date provided in Government Code Section 36937.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Jurupa Valley on this 17th day of October, 2019.



Brian Berkson
Mayor

ATTEST:



Victoria Wasko, CMC
City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF JURUPA VALLEY)

I, Victoria Wasko, CMC, City Clerk of the City of Jurupa Valley, do hereby certify that the foregoing Ordinance No. 2019-16 was regularly introduced at a regular meeting of the City Council held on the 3rd day of October, 2019 and thereafter at a regular meeting held on the 17th day of October, 2019 it was duly passed and adopted by the following vote of the City Council:

AYES: C. BARAJAS, L. BARAJAS, B. BERKSON, A. KELLY, M. GOODLAND

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Jurupa Valley, California, this 17th day of October, 2019.



Victoria Wasko, CMC
City Clerk