

Return Address
Walla Walla County Commissioners
PO BOX 1506
Walla Walla, WA 99362

Document Titles (i.e.: type of document)

Ordinance No. 387 (Chapter 10.06 – Weight Limits)

Auditor File Number(s) of document being assigned or released:

Grantor

1. **Walla Walla County Commissioners**
- 2.
- 3.

Additional names on page ____ of document.

Grantee

1. **The Public**
- 2.
- 3.

Additional names on page ____ of document.

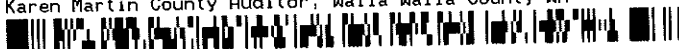
Legal description (i.e.: lot and block or section township and range)

Additional legal is on page ____ of document.

Assessors Parcel Number

Additional parcel number is on page ____ of document.

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein. Please type or print the information. This page becomes part of document.



**BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON**

ORDINANCE NO. 387

APPROVING A REQUEST BY THE WALLA WALLA COUNTY SHERIFF'S OFFICE FOR THE AMENDMENT OF WALLA WALLA COUNTY CODE CHAPTER 10.06, WEIGHT LIMITS, AMENDING PROVISIONS RELATING TO EXEMPTIONS, VIOLATIONS AND ENFORCEMENT.

WHEREAS, Walla Walla County Code Chapter 10.06 was last amended in 1992;

WHEREAS the following findings of fact and conclusions of law are hereby made:

Findings of Fact:

1. On September 16, 2010 and September 23, 2010 a Notice of Public Hearing was published in the Waitsburg Times. On September 16, 2010 and September 23, 2010 a Notice of Public Hearing was published in the Walla Walla Union Bulletin.

Conclusions of Law:

1. The proposed amendments to Walla Walla County Code Chapter 10.06 are necessary to regulate public health, safety and welfare in Walla Walla County.
2. The proposed amendments to Walla Walla County Code Chapter 10.06 provide vehicle operators with clear standards, thus facilitating uniform enforcement.
3. The classification of violations of Walla Walla County Code Chapter 10.06 as infractions, rather than misdemeanors, will allow for expeditious, less costly and fairer resolution of weight limit violations.

WHEREAS, the Board of County Commissioners held a public hearing on October 4, 2010 for the purpose of receiving testimony for and/or against the proposed changes to the Walla Walla County Code, now therefore,

BE IT ORDAINED, by the Walla Walla County Board of County Commissioners that, based on the findings of fact and conclusions of law above, Ordinance 206 is amended, and Chapter 10.06 of the Walla Walla County Code is amended as follows.

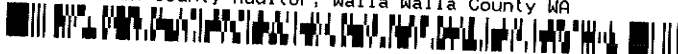
Section 1. Amendment to Walla Walla Code, Chapter 10.06

Chapter 10.06 of the Walla Walla County Code is amended as follows:

Chapter 10.06 WEIGHT LIMITS

10.06.010 Established-Exemptions-Local traffic.

A. It is unlawful for any person, firm or corporation to operate a motor vehicle or a combination of motor vehicles having a maximum gross licensed weight in excess of fifty-two thousand pounds through the following roads in unincorporated Walla Walla County, Washington:



1. Lowden-Gardena Road (No. 93190), in its entirety from milepost 0.00 at Frog Hollow Road to milepost 2.980 at State Route 12;
2. Gardena Road (No. 93170), in its entirety, from milepost 0.00 at Touchet-Gardena Road to milepost 3.80 at Borgens Road;
3. McDonald Road (No. 20210), from milepost 2.100 at Frog Hollow Road to milepost 4.350 at State Route 12;
4. Stateline Road (No. 91020), from milepost 0.00 at Burlingame Road to milepost 2.800 at the Washington and Oregon state line, (No. 91030) from milepost 0.000 at Oregon Road to milepost 6.410 at the Old Milton Highway, and (No. 91040) from milepost 0.000 at the Old Milton Highway to milepost 0.790 at State Route 125;
5. Touchet-Gardena Road (No. 93150), in its entirety, from milepost 0.000 at Gardena Road to milepost 1.200 at Balm/McKay Roads;
6. Detour Road (No. 20840) from milepost 0.000 Lowden-Gardena Road to milepost 5.270 at ~~State Route 12~~ Old Highway 12;
7. Last Chance Road (No. 21930), in its entirety, from milepost 0.000 at Frog Hollow Road to milepost 2.340 at ~~State Route 12~~ Old Highway 12;
8. Valley Chapel Road (No. 92200), in its entirety, from milepost 0.000 at Stateline Road to milepost 1.450 at Frog Hollow Road;
9. Frog Hollow Road (No. 92100), in its entirety, from milepost 0.000 at Borgens Road to milepost 8.980 at Mojonnier Road;
10. Locher Road (No. 21470), in its entirety, from milepost 0.000 at Stateline Road to milepost 1.310 at Frog Hollow Road;
11. Wallula Road (No. 92440), in its entirety, from milepost 0.000 at ~~State Route 12~~ Old Highway 12 to milepost 2.710 at the College Place City Limits.

B. ~~The above restrictions is restriction~~ shall not apply to vehicles that are defined as local traffic, authorized emergency vehicles or school buses.

1. "Local traffic" is defined as those vehicles:
 a. departing or returning to a residence, business or farm at any point on or along the above sections of road, or
 b. delivering or picking up loads at any point on or along the above sections of road, or
 c. transporting equipment for work on or along the above sections of road, or to property on or along the above sections of road. ~~required to make deliveries, pick up loads or are returning to place of residence at any point on or along said roads or any Milton-Freewater, Oregon address.~~

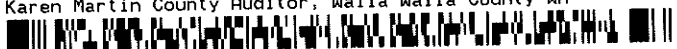
2. "Authorized emergency vehicle" means any vehicle of any fire department, law enforcement agency, coroner, Walla Walla County road department, officers of emergency operations centers or ambulance service.

3. "School bus" means any vehicle used to regularly transport children to and from school or in connection to school activities, which is subject to the requirements set forth in the most recent edition of "Specifications for School Buses" published by the State Superintendent of Public Instruction, but does not include buses operated by common carriers in urban transportation of school children.

(Ord. 206 (part), 1992)

10.06.020 Documentation required.

Any person, firm or corporation operating a motor vehicle or combination of motor vehicles on the roads designated in this chapter shall be able to produce a manifest or other document showing the gross weight of the vehicle and load being transported. (Ord. 206 (part), 1992)



10.06.030 Signage-Authority.

The director of public works for the county is authorized and directed to erect any signs necessary for advising the public of this chapter and the restriction. (Ord. 206 (part), 1992)

10.06.040 Violation-Penalty.

Any person violating this chapter or any section thereof shall be ~~guilty of a misdemeanor, liable for a civil infraction punishable by the following fines: and upon conviction thereof shall be fined not more than one thousand dollars.~~ Each time a vehicle is used contrary to this chapter, such occasion shall constitute a separate offense.

<u>First Offense</u>	: up to \$75.00
<u>Each Subsequent Offense</u>	: up to \$250.00

(Ord. 206 (part), 1992)

10.06.050 Enforcement -Process

A. The Walla Walla County Sheriff and Sheriff's Deputies are authorized to enforce the provisions of this chapter.

B. Notices of civil infractions shall be issued and processed in accordance with the provisions of chapter 7.80 RCW.

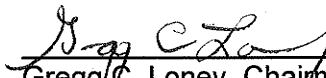
Section 2. Effective Date. This ordinance is effective immediately upon adoption.

Section 3. Savings and Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

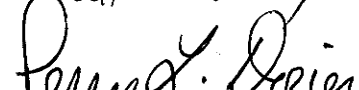
Section 4. Publication. This ordinance will be published by an approved summary consisting of the title.

PASSED by the Walla Walla County Board of County Commissioners in regular session at Walla Walla, Washington, then signed by its membership and attested by its Clerk in authorization of such passage this 4th day of October, 2010.


WALLA WALLA COUNTY



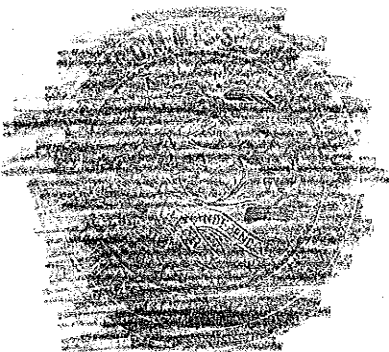
Gregg C. Loney, Chairman



Perry L. Dozier, Commissioner



Gregory A. Tompkins, Commissioner



Constituting the Board of County Commissioners of Walla Walla County

ATTEST

By: Connie R Vinti
Connie R. Vinti, Clerk of the Board

APPROVED AS TO FORM:

By: Jesse D Nolte
Jesse D. Nolte, Deputy Prosecuting Attorney

