

CITY OF FIFE, WASHINGTON

ORDINANCE NO. 1779

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTION 4 OF ORDINANCE NO. 1717 EXTENDING THE PROHIBITION OF TRUCKS GREATER THAN 26,000 GVW ON NORTH LEVEE ROAD WEST OF 66<sup>th</sup> AVENUE EAST (MILROY BRIDGE)**

WHEREAS, the City of Fife has the authority under RCW 46.44.080 and RCW 47.48.010 to close or restrict traffic on any city street to any class of vehicles on certain conditions; and

WHEREAS, the City also has the authority under Article XI, Section 11 of the State Constitution to regulate its city streets in the interests of public health, safety, and welfare; and

WHEREAS, on July 13, 2010 the City Council adopted Ordinance No. 1717 prohibiting trucks greater than 26,000 GVW on North Levee Road west of 66<sup>th</sup> Avenue East (Milroy Bridge); and

WHEREAS, Section 4 of Ordinance No. 1717 contained a sunset provision whereby the weight restriction on North Levee Road west of 66<sup>th</sup> Avenue East would expire August 1, 2012; and

WHEREAS, the condition of North Levee Road west of 66<sup>th</sup> Avenue East has not improved since Ordinance No. 1717 was adopted; and

WHEREAS, the interests of public health, safety and welfare require that the sunset provision be removed, but that the Council consider removing the weight restriction at such time as the condition of North Levee Road west of 66<sup>th</sup> Avenue East is sufficiently improved;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. The Council finds and concludes as follows:

1. North Levee Road west of 66<sup>th</sup> Avenue East (Milroy Bridge) to the western city limits of the City of Fife (the "Road") was constructed on top of the Puyallup River levee many years ago, when the area was predominantly rural and agricultural.
2. The Road is a narrow two lane road with no median, shoulders or sidewalks, with steep slopes on either side. The Road does not meet current City road standards.

3. Due to its location on top of the Puyallup River levee, improvement of the Road to current City standards presents many financial, engineering, and permitting challenges, and will not be accomplished in the foreseeable future.

4. The Road has a history of semi-truck rollover accidents at a higher rate than other City streets.

5. Due to the Road's close proximity to the Puyallup River, a hazardous materials spill could have severe adverse environmental impacts. Such spill could have a wide impact zone, effecting a large population.

6. Because of the narrow width, lack of shoulders, and steep slopes, incident response by police and emergency vehicles is difficult.

7. The condition of the Road has not improved since Ordinance No. 1717 was adopted.

8. The condition of the Road is such that use of the Road by trucks greater than 26,000 pounds GVW continues to be dangerous to traffic and pedestrians.

9. There are other truck routes in and through the City to reasonably accommodate the free flow of commerce, and prohibiting trucks greater than 26,000 pounds GVW on the Road is not an unreasonable burden on interstate or intrastate commerce.

10. The continued closure of the Road to trucks greater than 26,000 pounds GVW is necessary for the public health, safety and welfare.

Section 2. Section 4 of Ordinance No. 1717 is hereby amended to read as follows:

Review of Weight Restriction on Levee Road. After all of the following improvements have been made to the segment of North Levee Road from 66<sup>th</sup> Avenue East (Milroy Bridge) to Frank Albert Road, the City Council shall, after a public hearing, consider whether or not to repeal the amendments made in Section 2 of this Ordinance No. 1717 as to such segment:

1. All lanes of travel shall be 11 feet wide or wider;
2. All shoulders shall be four feet wide or wider on each side of the road; and
3. All intersections shall be improved so as to permit WB-62 trucks to turn directly into the intended lane of travel without entering any other lane except to cross it.

The public hearing shall be held within 90 days after completion and acceptance by the City of all of the improvements set forth above.

Section 3. Each and every provision of this Ordinance shall be deemed severable. In the event that any portion of this Ordinance is determined by final order of a court of competent jurisdiction to be void or unenforceable, such determination shall not affect the validity of the remaining provisions thereof, provided the intent of this Ordinance can still be furthered without the invalid provision.

Section 4. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

Introduced on the 26th day of June, 2012.

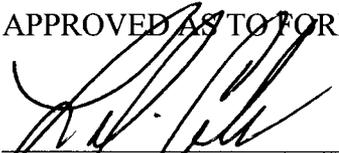
Passed by the City Council on the 10<sup>th</sup> day of July, 2012.

  
David K. Zibell, City Manager

ATTEST:

  
Carol Etgen, City Clerk

APPROVED AS TO FORM:

  
Loren D. Combs, City Attorney

Published: 7/13/12  
Effective Date: 7/18/12, 2012



# Ad Order Confirmation

Ad Order Number 0001324414  
PO Number ORDS  
Customer Account 220218AIM  
Customer CITY OF FIFE  
ACCOUNTS PAYABLE,5411 23RD ST E,  
FIFE WA 98424-2061 USA

Ad Number 0001324414-01  
Sales Rep. legals  
Blind Box  
Tear Sheets 3  
Proofs 0  
Ad Size 1.0 X 71 Li  
Invoice Text: ORD 1777, 1779, 1780, 1781  
Affidavits 0  
Placement Legal  
Position Bids and Requests

Phone Number 253-922-2489  
Phone Number 2  
Customer Fax

Payment Method  
Total Amount \$380.56  
Payment Amt \$0.00  
Amount Due \$380.56

Product	Start Date	Stop Date	# Inserts
The News Tribune	7/13/2012	7/13/2012	1

### NOTICE OF ORDINANCES PASSED BY THE CITY OF FIFE

**ORDINANCE NO. 1777**  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON AMENDING SECTIONS 1.01.000, 1.16.010, 2.20.040, 2.38.010(C), 2.38.080, 2.52.040(C), 2.52.380, 2.68.030, 2.68.040, 3.11.090, 3.12.080, 3.16.080, 3.21.020, 3.23.030, 3.52.010, 3.52.020, 3.80.110, 3.70.180, 3.80.010(G), 5.01.130(D)(4), 5.06.080, 5.32.160, 5.34.010(B), 8.04.020, 8.04.030, 8.16.020, 8.16.110, 8.16.130, 8.24.090, 8.24.190(A), 9.08.050, 9.11.020(C), 9.12.040, 9.12.110, 9.22.040, 9.23.030(B), 9.26.020, 9.26.040, 9.37.020(B), 9.77.090, 9.77.020(C), 9.79.010, 10.04.320(F), 10.26.010(A), 10.26.030, 10.32.010(F), 10.32.050(C), 10.48.080, 10.52.300(B), 10.52.180(E), 10.60.020(B), 11.01.110(A), 11.01.210(A), 11.01.270, 12.12.010(B), 13.04.090, 13.04.240(D)(2)(a)(b)(c)(d), 13.04.340, 13.08.510(H)(2)(a)(b)(c)(d), 13.08.060, 13.08.570, 13.18.020(J)(M), 13.18.300, 13.18.120(D), 14.01.060, 14.02.020(B), 15.04.113, 15.08.030(A), 15.20.020, 15.32.030(E), 15.52.020, 16.02.490, 16.05.020, 16.05.030, 16.05.040, 16.09.020(D), 16.11.030, 17.04.040(B), 17.04.180, 17.08.020(C), 17.19.114, 18.01.070, 18.05.020(H)(1), 18.48.070(D), 19.06.310, 19.06.550, 19.06.865, 19.36.030(H), 19.42.090, 19.44.010, 19.60.030(A)(5), 19.64.020(H)(C)(1), 19.68.080(B)(6), 21.10.070 AND CHAPTERS 1.16, 9.44 AND 9.26 OF THE FIFE MUNICIPAL CODE AND REPEALING SECTIONS 3.12.080, AND 9.12.090 AND CHAPTERS 1.20, 2.64, 8.20 AND 9.67 OF THE FIFE MUNICIPAL CODE  
A COMPLETE COPY OF THE ORDINANCE IS ON THE City of Fife website, [www.cityoffife.org](http://www.cityoffife.org)  
Carol Egan, City Clerk

**ORDINANCE NO. 1779**  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTION 4 OF ORDINANCE NO. 1717 EXTENDING THE PROHIBITION OF TRUCKS GREATER THAN 26,000 GVW ON NORTH LEVEE ROAD WEST OF 68TH AVENUE EAST (RAILROAD BRIDGE)  
A COMPLETE COPY OF THE ORDINANCES ARE ON THE City of Fife website, [www.cityoffife.org](http://www.cityoffife.org)  
Carol Egan, City Clerk

**ORDINANCE NO. 1780**  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTER 19.08, AND SECTIONS 19.14.080, 19.20.020, 19.24.030, 19.28.030, 19.32.080, 19.32.040, 19.34.030, 19.36.040, 19.40.020, 19.42.030, 19.44.020, 19.46.020, 19.46.030, AND 19.50.030 OF THE FIFE MUNICIPAL CODE TO PROVIDE ELECTRICAL VEHICLE INFRASTRUCTURE USES.  
A COMPLETE COPY OF THE ORDINANCES ARE ON THE City of Fife website, [www.cityoffife.org](http://www.cityoffife.org)  
Carol Egan, City Clerk

**ORDINANCE NO. 1781**  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON EXTENDING THE EXISTING MORATORIUM ON MEDICAL MARIJUANA COLLECTIVE GARDENS FOR AN ADDITIONAL SIX MONTH PERIOD  
A COMPLETE COPY OF THE ORDINANCES ARE ON THE City of Fife website, [www.cityoffife.org](http://www.cityoffife.org)  
Carol Egan, City Clerk