

CITY OF FIFE, WASHINGTON

ORDINANCE NO. 1860

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON, PROHIBITING MOTOR VEHICLES WITH OVERALL TRAILER LENGTH GREATER THAN TWENTY EIGHT (28) FEET FROM TRAVELING WESTBOUND ON NORTH LEVEE ROAD WEST OF 70th AVENUE EAST AND ADDING A NEW SECTION 10.44.025 TO THE FIFE MUNICIPAL CODE

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, based on the findings set forth below, the City Council deems that prohibiting motor vehicles having trailers with an overall length exceeding twenty eight (28) feet from traveling westbound on North Levee Road from 70th Avenue East to the western city limits is necessary for the public health, safety and welfare;

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

Section 1. Based on the records and information before it, the Council finds and concludes as follows:

1. North Levee Road west of 70th Avenue East 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. George Milroy Bridge over the Puyallup River at 66th Avenue East was built in 1931.

5. Fife's southern boundary follows the center of the river, so the north half of the bridge is in Fife while the south half is in unincorporated Pierce County.

6. Pierce County is lead agency for the maintenance and operation of the bridge, in accordance with agreements between Pierce County and the City of Fife dated 1998 and 2010.

7. The bridge is functionally obsolete in that it is far narrower than would be built today, with two 9-foot travel lanes, no shoulders, and too-tight radii to North Levee Road East and River Road.

8. The bridge structure has adequate strength to carry legal loads, but it is failure-critical, in that the failure of a single element could cause the failure of the entire structure.

9. The bridge has served all traffic without restriction since its opening, but growth in Fife and Pierce County have led to increased traffic over and around the bridge, and the bridge's narrow lanes make it impossible for vehicles with trailers (including semi-trailers and pole trailers) greater than twenty eight (28) feet in overall length to use the bridge without using lanes designated for opposing traffic.

10. Vehicles with trailers greater than twenty eight (28) feet sometimes start a turn off of the bridge and cannot complete the maneuver until smaller vehicles back up, and during peak periods, a single long vehicle can cause traffic delays extending through several cycles of the traffic signal at 66th Avenue East and River Road. Shorter vehicles have not caused such difficulties.

11. Based on the above, the Fife City Engineer has recommended that motor vehicles with trailers having a combined trailer length exceeding twenty eight (28) feet be prohibited from traveling westbound on North Levee Road from 70th Avenue East to the western city limits.

12. There are other truck routes in and through the City to reasonably accommodate the free flow of commerce, and prohibiting trucks with trailers greater than twenty eight (28) feet from traveling westbound on North Levee Road from 70th Avenue East to the western city limits is not an unreasonable burden on interstate or intrastate commerce.

12. Closure of westbound North Levee Road from 70th Avenue East to the western city limits to motor vehicles with a combined trailer length exceeding twenty eight (28) feet is necessary for the public health, safety and welfare.

13. This restriction will not apply where the point of origin or point of destination (delivery) for the motor vehicle is on North Levee Road west of 70th Avenue East to the western city limits, or to school buses, emergency vehicles, or city, county, state, or private water, sewer, street, telephone, electric power, gas, or cable TV maintenance vehicles.

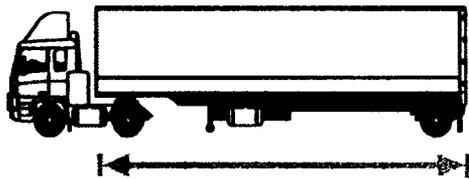
Section 2. Chapter 10.44 of the Fife Municipal Code is hereby amended by the addition of a new Section 10.44.025 to read as follows:

10.44.025 Length Restrictions on westbound Levee Road.

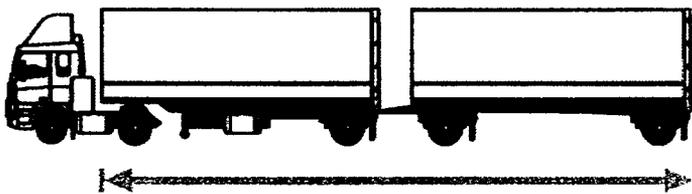
A. Motor vehicles with trailers (including but not limited to full trailers, semitrailers and pole trailers) having a combined overall trailer length exceeding twenty eight (28) feet are prohibited westbound on North Levee Road from 70th Avenue East to the western city limits. This section shall not apply where the point of origin or point of destination (delivery) for the motor vehicle is on North Levee Road west of 70th Avenue East to the western city limits.

B. Measurement for a single trailer shall be from the front of the trailer or load to the rear of the trailer or load, whichever covers the greater distance. Measurement for double trailers shall be from the front of the first trailer or lot to the end of the second trailer or load, whichever provides the greatest distance.

C. Illustration.



Maximum 28 feet



Maximum 28 feet

Section 3. The Public Works Director is hereby authorized and directed to promptly cause notice of the restrictions specified in this ordinance, including the effective date of such restrictions, to be published in one issue of a newspaper of general circulation within the City, and to promptly erect or cause to be erected signs designating the restrictions specified in this ordinance in each end of the portion of North Levee Road affected thereby, and other appropriate locations. The restrictions specified in this ordinance shall not be effective until ten days after publication of notice and erection of signage.

Section 4. 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.

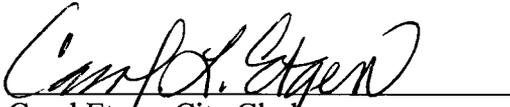
Section 6. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

Introduced on the 11th day of March, 2014

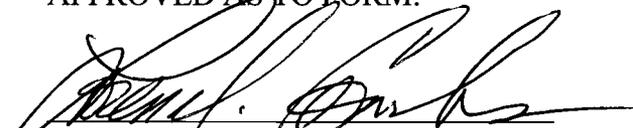
Passed by the City Council on the 25th day of March, 2014.


David K. Zabell, City Manager

ATTEST:


Carol Etgen, City Clerk

APPROVED AS TO FORM:


Loren D. Combs, City Attorney

Published: April 11, 2014
Effective Date: 4/16, 2014