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**Police
Department**

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Staff Report

ITEM NO. 4-2

To: Lemoore City Council
From: Darrell Smith, Chief of Police 
Date: June 12, 2014
Subject: Adoption – Amendment to 6-3-12 and 6-4-4 of the Lemoore Municipal Code Relating to the Designation of Truck Routes and Parking of Heavy Trucks – Ordinance No. 2014-02

Discussion:

The Lemoore Police Department has received several citizen complaints in regards to semi trucks and large commercial vehicles being off truck routes and in residential areas.

Lemoore Municipal Code 6-3-12 was enacted in 1975.

The current Municipal Code states the following:

Truck Routes: Whenever any resolution of this City designates and describes any street or portion thereof as a street, the use of which is permitted by any vehicle exceeding the maximum gross weight limit of three (3) tons, the City Chief of Police is hereby authorized to designate such street or streets by appropriate signs as "Truck Routes" for the movement of vehicles exceeding the maximum gross weight limit of three (3) tons.

Most trucks and large SUV's exceed the (3) ton weight limitation even at a "curb weight," which refers to not having a load, gas, oil, fluids, etc. The Lemoore Police Department does not feel it is fair to enforce the 3 ton limit on local citizens who drive trucks and large SUV's.

Upon researching local Municipal Codes we found that the City of Hanford Municipal Code 10.24.010 in regards to truck routes, prohibits vehicles exceeding (5) tons, the City of Fresno Municipal Code 14-2601 still has a weight requirement of 12,000 pounds, and the City of Visalia Municipal Code 10.24.010- same numbering as Hanford- is set at a weight requirement of 14,000 pounds.

Proposed Changes:

"6-3-12: Truck Routes; Limited Load Streets:

- A. Truck Routes: Whenever any resolution of this City designates and describes any street or portion thereof as a street, the use of which is permitted by any vehicle exceeding the maximum gross weight limit of five (5) tons, the City Chief of Police is hereby authorized to designate such street or streets by appropriate signs as "Truck Routes" for the movement of vehicles exceeding maximum gross weight limit of five (5) tons.

When any such truck route or routes are established and designated by appropriate signs, the operator of any vehicle exceeding the maximum gross weight limit of five (5) tons shall drive on such route or routes and none other; except, that nothing in this section shall prohibit the operator of any vehicle exceeding the maximum gross weight of five (5) tons coming from a truck route having ingress and egress by direct route to and from restricted streets when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets for the purpose of delivering material to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon such restricted streets for which a building permit has been previously obtained therefore, or when it is necessary to transport any such truck for repairs.

Provisions of this Section shall not apply to, 1) passenger buses under the jurisdiction of the Public Utility Commission, or 2) any vehicle owned by the public utility while necessarily in use in the construction, installation and repair of any public utility.

Those streets and parts of streets established by resolution of the Council are hereby declared to be truck routes for the movement of vehicles exceeding a maximum gross weight of five (5) tons.”

“6-4-4: General Parking Restrictions

G. Parking Of Heavy Trucks Regulated:

1. It is unlawful to leave, park or allow to be parked any commercial vehicle exceeding a maximum gross weight of five (5) tons commonly described as a truck, truck and trailer, or tractor, whether attended or not attended, on any public street, or alley fronting on any property zoned as residential, or in a residential area within the city, except that such parking will be permitted along those truck routes as designated in Section 6-3-12 where such parking is not restricted by appropriate signage. Nothing within this section relating to the parking or standing of commercial vehicles in excess of five (5) tons in a residential area will be effective with respect to any commercial vehicle making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on the restricted streets for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon the restricted street for which a building permit has previously been obtained.
2. For residents conducting a permitted home occupation in a residential area, only one vehicle, no larger than a one ton truck, may be used by the occupant directly or indirectly in conjunction with the home occupation.”

This amendment will help the Lemoore Police Department enforce the truck routes on strictly semi-trucks and large commercial vehicles.

Budget Impact:

No budget impact at this time.

Recommendation:

That the Lemoore City Council, by motion, waive the first reading of Ordinance No. 2014-02 which amends Municipal Code 6-3-12 to any vehicle exceeding "5 tons," and amends 6-4-4, to regulate heavy trucks parking in residential zones and pass to a second reading.

ORDINANCE NO. 2014-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEMOORE AMENDING SECTION 12 OF CHAPTER 3 OF TITLE 6 AND SECTION 4 OF CHAPTER 4 OF TITLE 6 OF THE LEMOORE MUNICIPAL CODE RELATING TO THE DESIGNATION OF TRUCK ROUTES AND PARKING OF HEAVY TRUCKS

The City Council of the City of Lemoore does ordain as follows:

SECTION 1. Subsection A of Section 12 of Chapter 3 of Title 6 of the Lemoore Municipal Code is amended and restated in its entirety to read as follows:

“6-3-12: Truck Routes; Limited Load Streets:

- A. Truck Routes: Whenever any resolution of this City designates and describes any street or portion thereof as a street, the use of which is permitted by any vehicle exceeding the maximum gross weight limit of five (5) tons, the City Chief of Police is hereby authorized to designate such street or streets by appropriate signs as “Truck Routes” for the movement of vehicles exceeding maximum gross weight limit of five (5) tons.

When any such truck route or routes are established and designated by appropriate signs, the operator of any vehicle exceeding the maximum gross weight limit of five (5) tons shall drive on such route or routes and none other; except, that nothing in this section shall prohibit the operator of any vehicle exceeding the maximum gross weight of five (5) tons coming from a truck route having ingress and egress by direct route to and from restricted streets when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets for the purpose of delivering material to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon such restricted streets for which a building permit has been previously obtained therefore, or when it is necessary to transport any such truck for repairs.

Provisions of this Section shall not apply to, 1) passenger buses under the jurisdiction of the Public Utility Commission, or 2) any vehicle owned by the public utility while necessarily in use in the construction, installation and repair of any public utility.

Those streets and parts of streets established by resolution of the Council are hereby declared to be truck routes for the movement of vehicles exceeding a maximum gross weight of five (5) tons.”

SECTION 2. Subsection G of Section 4 of Chapter 4 of Title 6 of the Lemoore Municipal Code is amended and restated in its entirety to read as follows:

“6-4-4: General Parking Restrictions

- G. Parking Of Heavy Trucks Regulated:

1. It is unlawful to leave, park or allow to be parked any commercial vehicle exceeding a maximum gross weight of five (5) tons commonly described as a truck, truck and trailer, or tractor, whether attended or not attended, on any public street, or alley fronting on any property zoned as residential, or in a residential area within the city, except that such parking will be permitted along those truck routes as designated in Section 6-3-12 where such parking is not restricted by appropriate signage. Nothing within this section relating to the parking or standing of commercial vehicles in excess of five (5) tons in a residential area will be effective with respect to any commercial vehicle making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on the restricted streets for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon the restricted street for which a building permit has previously been obtained.

2. For residents conducting a permitted home occupation in a residential area, only one vehicle, no larger than a one ton truck, may be used by the occupant directly or indirectly in conjunction with the home occupation.”

SECTION 3. This Ordinance shall take effect 30 days after its adoption.

SECTION 4. The City Clerk is further directed to cause this Ordinance or a summary of this Ordinance to be published once in a newspaper of general circulation published and circulated within the City of Lemoore, within fifteen (15) days after its adoption. If a summary of the Ordinance is published, then the City Clerk shall cause a certified copy of the full text of the proposed Ordinance to be posted in the office of the City Clerk at least five days prior to the Council meeting at which the Ordinance is adopted and again after the meeting at which the Ordinance is adopted. The summary shall be approved by the City Attorney.

* * * * *

The foregoing Ordinance was introduced at a Regular Meeting of the City Council of the City of Lemoore held on the _____ day of _____, 2014, and was passed and adopted at a regular meeting of the City Council held on the _ day of _____ 2014, by the following vote:

AYES:
 NOES:
 ABSENT:
 ABSTAIN:

APPROVED:

 William M. Siegel, Jr., Mayor

ATTEST:

 Mary J. Venegas
 City Clerk

CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF LEMOORE)

I, **MARY J. VENEGAS**, City Clerk of the City of Lemoore do hereby certify the foregoing Ordinance of the City Council of the City of Lemoore was duly passed and adopted at a Regular Meeting of the City Council held on the _____ day of _____ 2014.

DATED: _____, 2014

Mary J. Venegas, City Clerk