

**CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. O2003-119**

**AN ORDINANCE OF THE CITY OF SAMMAMISH,
WASHINGTON, ESTABLISHING MOTOR VEHICLE GROSS
WEIGHT RESTRICTIONS ON CERTAIN PORTIONS OF 212TH
WAY SE; AND SETTING PENALTIES FOR VIOLATION OF SUCH
RESTRICTIONS**

WHEREAS, portions of 212th Way SE in the City of Sammamish have experienced differential roadway settlement and cracking, causing a roadway failure and necessitating emergency repairs to be made; and

WHEREAS, an engineering study was commissioned to evaluate the roadway failure and to provide recommendations for short-term resolution; and

WHEREAS, the engineering study identified that the westbound lane of 212th Way SE, which is on the outer edge of the hillside traversed by 212th Way SE, is particularly susceptible to damage; and

WHEREAS, the completed engineering study recommends that a weight limit be established for portions of this roadway; and

WHEREAS, the City Council desires to establish such a weight limit to protect the public health and safety, conserve the environment, and to preserve the transportation network with minimal disruption to motorized commerce;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH,
WASHINGTON DO ORDAIN AS FOLLOWS:**

Section 1. Weight Limit Established. A gross vehicle weight limit of 30,000 pounds (15 tons) is hereby established for 212th Way SE from the intersection with East Lake Sammamish Parkway SE to the intersection with SE 35th Way.

Section 2. Exceptions to Weight Limit. The following vehicles are exempt from the weight limit established by Section 1 of this Ordinance while traveling eastbound on 212th Way SE: school buses, municipal vehicles, and trucks making local deliveries to locations which are accessed from that portion of 212th Way SE between the intersection with East Lake Sammamish Parkway SE and SE 35th Way. Emergency vehicles are exempt from the weight limit established by Section 1 of this Ordinance while traveling either eastbound or westbound on 212th Way SE.

Section 3. Penalty. Any operator or owner of a motor vehicle causing or allowing a motor vehicle to violate the weight limit established in Section 1 of this Ordinance shall be

subject to the penalties set forth in RCW 46.44.105, which was adopted by reference in City of Sammamish Ordinance No. O2000-52 as part of the Model Traffic Ordinance.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

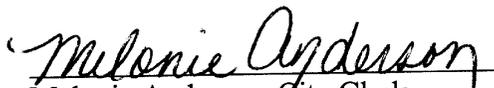
Section 5. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 21st DAY OF JANUARY 2003.

CITY OF SAMMAMISH


Mayor Kenneth Kilroy

ATTEST/AUTHENTICATED:


Melonie Anderson, City Clerk

Approved as to form:


Bruce L. Disend, City Attorney

Filed with the City Clerk:	January 2, 2003
First Reading:	January 7, 2003
Passed by the City Council:	January 21, 2003
Date of Publication:	January 25, 2003
Effective Date:	January 30, 2003