

ORDINANCE NO. 222-14, Amended 10/20/15

AN ORDINANCE REGULATING THE ACTIVITIES OF TRUCKS AND COMMERCIAL VEHICLES OVER CERTAIN ROADS WITHIN THE CITY OF IRRIGON AND PROVIDING FOR A PENALTY FOR THE VIOLATION THEREOF

WHEREAS: The City of Irrigon desires to provide for the safety, health and general welfare of the residents of the City of Irrigon by prohibiting trucking in certain areas; and

WHEREAS: The Planning Commission has studied the issue and recommends that the City adopt the changes proposed by this Ordinance and incorporating this ordinance into Chapter 6-2-6 of the Irrigon City Code; and

WHEREAS: It shall be unlawful to operate any "commercial truck," hereinafter defined, on any "no truck road," as herein defined within the City of Irrigon, except as otherwise provided herein; and

WHEREAS: This ordinance is enacted for the purpose of promoting public health, safety, and welfare; to encourage the most appropriate use of property within the City; to stabilize and protect the value of property, to provide adequate light and air; to prevent overcrowding; to lessen traffic congestion; to facilitate adequate and economical provisions for public improvements; to provide a method of administration and to prescribe penalties for violations of the provisions herein

NOW THEREFORE, The City Council of the City of Irrigon does hereby ordain as follows:

Section 1. Definitions.

a. **Commercial Truck:** Any motor vehicle used for commercial/business/agriculture purposes, or a truck used to or with advertisement and business affiliation, whether permanent or temporary, having a Gross Vehicle Weight Rating (GVWR) of 17,500 pounds or greater, also including but not limited to any vehicle carrying hazardous materials or solid waste. Commercial trucks are also those primarily designated or used for carrying loads other than passengers. Such trucks are restricted only to the designated truck routes as noted in section 4 of this ordinance and exempted per section (2) of this ordinance.

b. **No Truck Road:** A road or street on which commercial trucks are prohibited and the road is posted and/or designated as "No Through Trucks."

c. **Truck Route:** A road or street on which commercial trucks are authorized and designated for commercial usage.

d. **Parking or Standing:** Leaving of a commercial truck along a roadway overnight, temporarily for limited hours where commercial trucks are not allowed, save those noted in Section 2 below or where and when allowed by law or DOT rules.

e. **Jake Brakes:** Operating a dynamic braking device. A "dynamic braking device", commonly referred to as a "jake brake" is a device used primarily on trucks and buses which converts the motor into an air compressor for the purpose of vehicle braking without the use of wheel brakes. Such action is not permitted within the boundaries of the City of Irrigon.

Section 2. Exemptions.

a. Commercial trucks may be permitted and operated on roads and streets not designated as truck routes under Section 1 as follows:

- i. Operation of authorized emergency vehicles.
- ii. Emergencies declared by public officials or public act.
- iii. For the operation of commercial vehicles involved in picking up or discharging goods at a business establishment or residence in the City from a non-designated street/route.
- iv. Service vehicles, RV's, Utility Trailers and Horse Trailers not pulled by a semi-tractor rig are allowed.
- v. Utility vehicles when responding to emergencies or when installing, repairing, or maintaining a public utility or accessed from a non-designated street.
- vi. Commercial truck may operate to service construction sites assessed from a non-designated street.
- vii. Garbage and recycling collection commercial trucks when providing services to premises accessed from a non-designated street.
- viii. When re-routed by the City or pursuant to the City's approval as a result of an emergency situation, construction on or along a truck route, or other circumstance requiring a detour.
- ix. City development permitting process for the exempting of any businesses within the commercial zone(s).

b. Except in an emergency as described in subsection 2(a)(i) and (ii) or when directed to use a specific route as described in subsection 2(a)(vii), a commercial truck lawfully operating off a truck route pursuant to subsection 2(a) of this section shall use the most direct route to and from the closest designated truck route.

Section 3. Posting of Restrictions: Signs shall be posted stating no thru trucks of 17,500 pounds rated GVWR. Signs shall be posted at locations determined by the City of Irrigon City Manager or designee and pursuant to ORS 810.050(3) and (4).

Section 4. Truck Routes: Initial truck routes are US 730, SE Fifteenth St, SE Division St., the first 120 feet South of US 730 on SE First Street. After the effective date of this ordinance, the City Council may by council resolution or ordinance, add a street to or remove from the list of designated truck routes in accordance with City Charter, Ordinances, Resolutions, and Code.

Section 5. Severability. This ordinance and the various parts, sections, paragraphs, and subsections, sentences, phrases, and clauses thereof are hereby declared to be severable. If any part, section, paragraph, subsection, sentence, phrase, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected.

Section 6. Penalty. Any person in violation of this ordinance shall be fined in accordance with the City Master Fee Schedule for the initial penalty upon passage of this ordinance. Future penalty adjustments may be made by separate resolution. Each day of violation shall constitute a separate offense.

Passed by the Council this 20th day of October 2015.

Approved by: Sam Heath

Sam Heath, Mayor

Attested to: 
Aaron Palmquist, City Manager