

ORDINANCE NO. 454

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, AMENDING CHAPTER 10.16 TRUCK ROUTES; CLARIFYING THE SCOPE OF THE TRUCK ROUTE EXEMPTION FOR VEHICLES DIRECTLY ENGAGED IN THE DISPOSAL, COLLECTION AND/OR TRANSPORT OF WASTE; ADOPTING FINDINGS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City has adopted regulations in Chapter 10.16 WMC governing the operation of trucks and other large vehicles on City streets, and has designated specific routes for such vehicles; and

WHEREAS, WMC 10.16.070 contains an enumerated list of exemptions to the prohibitions set forth in Chapter 10.16 WMC, including an exemption for vehicles directly engaged in the disposal, collection and/or transport of waste; and

WHEREAS, the City desire to amend WMC 10.16.070 for the purpose of clarifying that the waste disposal, collection and transport exemption applies only with respect to vehicles providing regularly scheduled curbside or on-site waste collection services within the Woodinville City limits;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council adopts the above recitals as findings in support of the regulations imposed under this ordinance, and further makes the following additional findings:

A. The findings enumerated in Section 1 of Ordinance No. 443 are hereby adopted and incorporated by this reference as if set forth in full.

B. The regulations contained in this ordinance will more accurately effectuate the City Council's original legislative intent in adopting Chapter 10.16 WMC, specifically including the scope of the exemption for waste disposal, collection and transport under WMC 10.16.070(e).

C. The regulations contained in this ordinance are a lawful and appropriate exercise of the City's police power and will serve the public health, safety and welfare.

Section 2. Amendment of WMC 10.16.070. Subsection 10.16.070(e) of the Woodinville Municipal Code is hereby amended to provide in its entirety as follows:

10.16.070 Exceptions.

The prohibitions set forth in this chapter shall not apply to the following:

"e. The operation of any vehicle directly engaged in the disposal, collection and/or transport of waste, including but not limited to recyclable material, as part of a regularly scheduled curbside or on-site disposal or collection service within the Woodinville City limits; PROVIDED, that this exception shall not apply to hazardous cargo or radioactive materials."

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

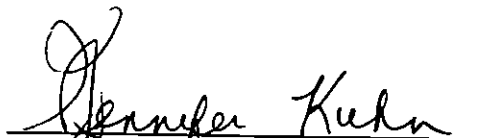
Section 4. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force thirty (30) days after final passage.

ADOPTED BY THE CITY COUNCIL AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 8th DAY OF JANUARY, 2008.




Scott Hageman, Mayor

ATTEST/AUTHENTICATED:



Jennifer Kuhn
City Clerk/CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY



Greg A. Rubstello
City Attorney

PASSED BY THE CITY COUNCIL: 1-08-2008
PUBLISHED: 1-14-2008
EFFECTIVE DATE: 02-14-2008
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