

**ORDINANCE NO. 500
(AS AMENDED THROUGH 500.1)
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 500
REDUCING THE PERMISSIBLE WEIGHT OF VEHICLES
ON UNIMPROVED COUNTY HIGHWAYS**

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. FINDINGS. The Board of Supervisors finds that as Riverside County continues to grow and become more urbanized many highways, roads and bridges within residential areas are not suitable for use by certain vehicles.

Section 2. PURPOSE. The purpose of this ordinance is to enable the County to regulate vehicle traffic on highways, roads and bridges in or near residential areas pursuant to provisions in the California Vehicle Code so as to improve quality of life and traffic safety in residential areas.

Section 3. AUTHORITY. This ordinance is adopted pursuant to California Vehicle Code Section 32, Section 21101, Sections 35701 through 35714, and Section 42030.1. Taken together, these sections authorize a county to prohibit any commercial vehicle exceeding a certain manufacturer's gross vehicle weight rating, from using certain highways within residential areas. These sections also authorize a county to reduce the permissible weight of vehicles and loads upon unimproved County highways or County bridges. Section 42030.1 provides a table of monetary fines for violations.

Section 4. DEFINITIONS. As used in this ordinance, the following terms shall have the following meanings:

- a. Commercial Vehicle. Any vehicle of a type that is required to be registered under the California Vehicle Code used or maintained for the transportation of persons for hire, compensation, or profit or designed, used or maintained primarily for the transportation of property.
- b. County Bridges. Any structures carrying a County highway or CSA road over or across a depression or obstacle.
- c. County Highways. Any streets, roads and highways that have been accepted into the County maintained road system and are maintained by the Transportation Department.
- d. CSA Roads. Any streets, roads and highways that have been dedicated and accepted by the County as public use roads, and are maintained by a County Service Area (CSA).
- e. Director of Transportation. The Director of the Riverside County Transportation Department and functional equivalent of "road commissioner" as used in the California Vehicle Code.
- f. Identified. Identified by the Board of Supervisors in the manner described in Section 6. of this ordinance.

- g. Residential Area. A neighborhood where the prevailing land use is primarily residential including, but not limited to, a residence district.
- h. Residence District. That portion of a highway and the property contiguous thereto, other than a business district, (a) upon one side of which highway, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 13 or more separate dwelling houses or business structures, or (b) upon both sides of which highway collectively, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 16 or more separate dwelling houses or business structures. A residence district may be longer than one-quarter of a mile if the above ratio of separate dwelling houses or business structures to the length of the highway exists.
- i. Restricted. Limited to use by vehicles that do not exceed maximum permissible weight prohibitions.
- j. Unimproved. Not built to a standard or quality sufficient for acceptance into the County maintained road system and not maintained by the Transportation Department.
- k. Unrestricted. Not confined to use solely by vehicles weighing under a maximum weight.

Section 5. WEIGHT PROHIBITIONS AND REDUCTIONS.

- a. Pursuant to California Vehicle Code Sections 21101(c) and 35712(a), the Board of Supervisors hereby prohibits any commercial vehicle exceeding a manufacturer's gross vehicle weight rating of 14,000 pounds (7 tons) from using any identified County highways or identified CSA roads within a residential area for any duration of the day or from using any identified County highways or identified CSA roads if the use of such highways or roads may adversely affect traffic circulation or safety within a residential area.
- b. Pursuant to California Vehicle Code Section 35706, the Board of Supervisors hereby reduces the permissible weight of vehicles and loads upon identified unimproved County highways and identified County bridges.

Section 6. IDENTIFICATION OF AFFECTED COUNTY HIGHWAYS, UNIMPROVED COUNTY HIGHWAYS, CSA ROADS AND COUNTY BRIDGES. Upon recommendation of the Director of Transportation, based on an engineering study, the Board of Supervisors shall identify by resolution those County highways, unimproved County highways, CSA roads and County bridges to which the weight prohibitions and reductions described in Section 5. of this ordinance apply.

Section 7. EXEMPT VEHICLES. Neither this ordinance nor any resolution adopted pursuant hereto shall apply to or regulate the following:

- a. Any commercial vehicle coming from an unrestricted County

highway, unimproved County highway, CSA road or County bridge having ingress and egress by direct route to and from a restricted County highway, unimproved County highway, CSA road or County bridge when necessary for the purpose of making pickups or deliveries of goods, wares, and merchandise from or to any building structure located on the restricted County highway, unimproved County highway, CSA road or County bridge or 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 County highway, unimproved County highway, CSA road or County bridge for which a building permit has previously been obtained.

- b. Any vehicle owned by a public utility or a licensed contractor while necessarily in use in the construction, installation, or repair of any public utility.
- c. School buses and public transit buses.
- d. Vehicles that have been issued and display a permit pursuant to County Ordinance No. 499 'Relating to Encroachments on County Highways', or County Ordinance No. 524 'Regulating Oversize and Overweight Vehicles and Loads'.
- e. Vehicles that are allowed to be parked on private property owned by the owner of the vehicles pursuant to County Ordinance No. 348 'Providing for Land Use Planning and Zoning Regulations and Related Functions', when using the most direct route from an unrestricted County highway, unimproved County highway, CSA road or County bridge to access the vehicle owner's property.
- f. Emergency response vehicles.
- g. Any commercial vehicle using any County highway, unimproved County highway, CSA road or County bridge by direct route to or from a state highway for the purpose of delivering or loading for transportation goods, wares, or merchandise.

Section 8. SIGN REQUIREMENTS. A resolution adopted pursuant to this ordinance shall not be effective with respect to any County highway, unimproved County highway, CSA road or County bridge until the Director of Transportation posts signs indicating that a vehicle weight restriction is in effect and indicating either the places affected or the places not affected, as the Director of Transportation may determine will best serve to give notice of a weight restriction to the motoring public.

Section 9. ALTERNATE ROUTE DESIGNATION. A resolution adopted pursuant to this ordinance shall not be effective with respect to any County highway, unimproved County highway, CSA road or County bridge unless the Board of Supervisors also designates an alternate route for affected vehicles which shall remain unrestricted by any local regulation as to those affected vehicles so long as the vehicle weight prohibition or reduction shall remain in effect.

Section 10. VIOLATIONS AND PENALTIES. Any person violating any provision of this ordinance shall be deemed guilty of an infraction, punishable by a fine or penalty of at least \$250 or more as specified in Vehicle Code Section 42030.1 up to \$2000.

Section 11. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.”

Adopted: 500 11/2/1964 (Eff: 12/02/1964)

Amended: 500.1 Item 3.35 of 10/28/2008 (Eff: 11/27/2008)