

**CITY OF REDMOND
ORDINANCE NO. XXXX**

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING REDMOND MUNICIPAL CODE (RMC) 10.24 SPEED REGULATIONS, TO AMEND THE DURATION OF TEMPORARY ROAD CLOSURES AND RESTRICTIONS THAT REQUIRE CITY COUNCIL APPROVAL FROM A DURATION THAT EXCEEDS TWELVE (12) HOURS TO A DURATION THAT EXCEEDS FOURTEEN (14) DAYS

WHEREAS, the City requires Council approval for any temporary speed reductions, road closures, and road restrictions that exceed twelve (12) hours in duration; and

WHEREAS, the City seeks to increase the duration of temporary speed reductions, road closures, and road restrictions that require Council approval that exceed fourteen (14) days; and

WHEREAS, temporary speed reductions, temporary road closures, and temporary road restrictions that are fourteen (14) days or less in duration will be approved by either the City Traffic Engineer, the City Public Works Director, or the City's Technical Committee as set forth in Amended Section 10.24.047.

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

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City Code.

Section 2. Amendment of Subsection. RMC 10.24.045, Speed Regulations, Temporary Closure or Restriction Authorized, is hereby amended to read as follows:

10.24.045 Temporary Closure or Restriction Authorized.

A. Subject to the procedures set forth in RMC 10.24.047, the City may temporarily close any street, road, or highway to travel by all vehicles or any class of vehicles, or may declare a lower maximum speed for all vehicles or any class of vehicles using such street, road, or highway, whenever any of the following occur:

1. The condition of the street, road, or highway, or any portion thereof, is such that its unrestricted use or continued use by all vehicles or any specific class of vehicles will greatly damage that street, road, or highway, or will be dangerous to traffic; or

2. Such street, road, or highway is being constructed, altered, repaired, improved, or maintained and temporary closure or restriction is necessary to facilitate such construction, alteration, repair, improvement, or maintenance.

B. The City Traffic Engineer shall have authority to classify vehicles according to gross weight, axle weight, height, width, length, braking area, performance, vehicle combinations or tire equipment for the purposes of this section, and may restrict the use of any portion of any street, road or highway to use by an urban public transportation system; provided action taken under this section in cases involving state highways shall be subject to the approval of the Secretary of Transportation.

~~10.24.045 TEMPORARY CLOSURE OR RESTRICTION AUTHORIZED.~~

~~WHENEVER THE CONDITION OF ANY STREET, ROAD OR HIGHWAY, EITHER NEWLY OR PREVIOUSLY CONSTRUCTED, ALTERED, REPAIRED OR IMPROVED, OR WHEN ANY PART THEREOF IS SUCH THAT FOR ANY REASON ITS UNRESTRICTED USE OR CONTINUED USE BY VEHICLES OR BY ANY CLASS OF VEHICLES WILL GREATLY DAMAGE THAT STREET, ROAD OR HIGHWAY, OR WILL BE DANGEROUS TO TRAFFIC, OR IT IS BEING CONSTRUCTED, ALTERED, REPAIRED, IMPROVED, OR MAINTAINED IN SUCH A MANNER AS TO REQUIRE THAT USE OF THE STREET, ROAD OR HIGHWAY, OR ANY PORTION THEREOF, BE CLOSED OR RESTRICTED TO ALL VEHICLES OR ANY CLASS OF VEHICLES FOR ANY PERIOD OF TIME, THE CITY TRAFFIC ENGINEER, SUBJECT TO THE PROVISIONS IN SECTION 10.24.047 OF THIS CHAPTER, MAY CLOSE THE STREET, ROAD~~

~~OR HIGHWAY TO TRAVEL BY ALL VEHICLES OR BY ANY CLASS OF VEHICLES, OR MAY DECLARE A LOWER MAXIMUM SPEED FOR ANY CLASS OF VEHICLES FOR SUCH DEFINITE PERIOD OF TIME AS THE CITY TRAFFIC ENGINEER MAY DETERMINE. THE CITY TRAFFIC ENGINEER SHALL FURTHER HAVE AUTHORITY TO CLASSIFY VEHICLES ACCORDING TO GROSS WEIGHT, AXLE WEIGHT, HEIGHT, WIDTH, LENGTH, BRAKING AREA, PERFORMANCE, VEHICLE COMBINATIONS OR TIRE EQUIPMENT FOR THE PURPOSES OF THIS SECTION, AND MAY RESTRICT THE USE OF ANY PORTION OF ANY STREET, ROAD OR HIGHWAY TO USE BY AN URBAN PUBLIC TRANSPORTATION SYSTEM; PROVIDED ACTION TAKEN UNDER THIS SECTION IN CASES INVOLVING STATE HIGHWAYS SHALL BE SUBJECT TO THE APPROVAL OF THE SECRETARY OF TRANSPORTATION. (ORD. 1477 § 6, 1989).~~

Section 3. Amendment of Subsection. RMC 10.24.047, Speed Regulations, Procedure for Temporary Closure or Restriction, is hereby amended to read as follows:

A. The City Traffic Engineer shall have the authority to approve all temporary closures and restrictions provided for in RMC 10.24.045.A that will not exceed 24 hours in duration or that are necessary to address an emergency.

B. The City Public Works Director shall have the authority to approve all temporary closures and restrictions

provided for in RMC 10.24.045.A that will exceed 24 hours in duration but will not exceed 72 hours in duration.

C. The City's Technical Committee shall have the authority to approve all temporary closures and restrictions provided for in RMC 10.24.045.A that will exceed 72 hours in duration but will not exceed 14 days in duration.

D. City Council approval shall be required for all temporary closures and restrictions provided for in RMC 10.24.045.A that will exceed 14 days in duration. The City Traffic Engineer shall, with the approval of the Mayor, place advance written notice of any proposed closure that will exceed 14 days on the regular agenda of the City Council. The notice will include a description of the proposed closure or restriction recommended by the City Traffic Engineer, including the street, road, or highway involved, and the length of time that the proposed closure or restriction will remain in effect.

The City Council may accept, reject or modify the proposed closure or restriction recommended by the City Traffic Engineer. Failure of the City Council to take action upon the notice shall be deemed an approval of the action proposed by the notice.

E. Whenever a street closure or restriction has been approved as provided in this section, the Public Works Department shall immediately do the following:

1. Publish the notice of closure in the official newspaper of the city; and

2. Publish the notice of closure through official electronic communication means of the City; and

3. Notify the Mayor and City Council of the closure via electronic communication means; and

4. Post a like notice, on or prior to the date of publication, in a conspicuous place at each end of the street, road, highway, or portion thereof to be closed or restricted.

5. No street, road or highway, or portion thereof, may be closed sooner than three days after the publication and posting of the notice herein provided for; provided, however, that in cases of emergency or conditions the following may apply:

a. The maximum time the closure will be in effect is seventy-two hours or less.

b. The City Traffic Engineer may, without publication or delay, close streets, roads or highways temporarily by posting notice at each end of the closed

portion thereof and at all intersecting highways if the closing is of a portion of a highway, at all intersecting highways and roads if the closing is of a portion of a road, and at all intersecting streets if the closing is of a street.

c. In all emergency cases or conditions in which the maximum time the closure will be in effect is seventy-two hours or less, as herein provided, the orders of the City Traffic Engineer shall be immediately effective; provided further, action taken under this section in cases involving state highways shall be subject to the approval of the Secretary of Transportation.

F. The authority and procedures set forth in this section shall control over any contrary authority or procedures set forth in the Model Traffic Ordinance, as adopted by the City in RMC 10.10.

~~10.24.047 PROCEDURE FOR TEMPORARY CLOSURE OR RESTRICTION.
BEFORE ANY STREET, ROAD OR HIGHWAY IS CLOSED TO, OR THE
MAXIMUM SPEED LIMIT THEREON REDUCED FOR, ALL VEHICLES OR ANY
CLASS OF VEHICLES, THE CITY TRAFFIC ENGINEER WITH THE APPROVAL
OF THE MAYOR, SHALL PLACE ADVANCE NOTICE THEREOF IN THE NEXT
REGULAR AGENDA OF THE CITY COUNCIL, WHICH NOTICE SHALL INCLUDE
ANY SPEED LIMIT MODIFICATION, INCLUDING THE STREET, ROAD OR
HIGHWAY INVOLVED, AND THE LENGTH OF TIME THE CLOSURE OR~~

~~DECREASED SPEED LIMIT WILL STAY IN EFFECT. THE CITY COUNCIL MAY ACCEPT, REJECT OR MODIFY THE DETERMINATION OF THE CITY TRAFFIC ENGINEER. FAILURE OF THE CITY COUNCIL TO TAKE ACTION UPON THE NOTICE SHALL BE DEEMED AN ACCEPTANCE OF THE ACTION PROPOSED BY THE NOTICE. IF APPROVED AS PROPOSED OR APPROVED AS MODIFIED, THE CITY CLERK SHALL IMMEDIATELY CAUSE PUBLICATION OF THE NOTICE IN THE OFFICIAL NEWSPAPER OF THE CITY AND SHALL POST A LIKE NOTICE, ON OR PRIOR TO THE DATE OF PUBLICATION OF SUCH NOTICE, IN A CONSPICUOUS PLACE AT EACH END OF THE STREET, ROAD, OR HIGHWAY, OR THE PORTION THEREOF TO BE CLOSED OR RESTRICTED; PROVIDED, THAT NO SUCH STREET, ROAD OR HIGHWAY, OR PORTION THEREOF, MAY BE CLOSED SOONER THAN THREE DAYS AFTER THE PUBLICATION AND POSTING OF THE NOTICE HEREIN PROVIDED FOR; PROVIDED, HOWEVER, THAT IN CASES OF EMERGENCY OR CONDITIONS IN WHICH THE MAXIMUM TIME THE CLOSURE WILL BE IN EFFECT IS TWELVE HOURS OR LESS, THE CITY TRAFFIC ENGINEER MAY, WITHOUT PUBLICATION OR DELAY, CLOSE STREETS, ROADS OR HIGHWAYS TEMPORARILY BY POSTING NOTICE AT EACH END OF THE CLOSED PORTION THEREOF AND AT ALL INTERSECTING HIGHWAYS IF THE CLOSING IS OF A PORTION OF A HIGHWAY, AT ALL INTERSECTING HIGHWAYS AND ROADS IF THE CLOSING IS OF A PORTION OF A ROAD, AND AT ALL INTERSECTING STREETS IF THE CLOSING IS OF A STREET. IN ALL EMERGENCY CASES OR CONDITIONS IN WHICH~~

~~THE MAXIMUM TIME THE CLOSURE WILL BE IN EFFECT IS TWELVE HOURS OR LESS, AS HEREIN PROVIDED, THE ORDERS OF THE CITY TRAFFIC ENGINEER SHALL BE IMMEDIATELY EFFECTIVE; PROVIDED FURTHER, ACTION TAKEN UNDER THIS SECTION IN CASES INVOLVING STATE HIGHWAYS SHALL BE SUBJECT TO THE APPROVAL OF THE SECRETARY OF TRANSPORTATION. (ORD. 1477 § 7, 1989).~~

Section 4. 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 5. Effective date. This ordinance shall become effective five days after its publication, or publication of a summary thereof, in the city's official newspaper, or as otherwise provided by law.

ADOPTED by the Redmond City Council this _____ day of _____, 20XX.

CITY OF REDMOND

ANGELA BIRNEY, MAYOR

ATTEST:

CHERYL XANTHOS, MMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

JAMES HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
SIGNED BY THE MAYOR:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.