

ORDINANCE NO. _____

**UPDATE OF WHATCOM COUNTY CODE 12.36 LOAD LIMITS
AND REPEAL OF 10.30 PERMANENT WEIGHT LIMITATIONS**

WHEREAS, Chapter 36.75.270 of the Revised Code of Washington authorizes the County Council to limit or prohibit classes or types of vehicles on any county road or bridge and may limit the weight of vehicles which may travel thereon; and

WHEREAS, Chapter 12.36 of Whatcom County Code establishes the Load Limits on specific bridges; and

WHEREAS, Chapter 10.30 of Whatcom County Code establishes Permanent Weight Limitations on specific roads; and

WHEREAS, conditions of bridges and roads are dynamic and always changing that sometimes result in the need to place load limitations and weight restrictions expeditiously; and

WHEREAS, the current code is antiquated and does not reflect the current limitations and restrictions; and

WHEREAS, Article XI, section 4 of the Washington State Constitution allows the County Council to delegate the authority to perform administrative functions; and

WHEREAS, the County Council determines load limitations and weight restrictions are an administrative function;

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that Whatcom County Code Chapter 10.30 is repealed and Whatcom County Code Chapter 12.36 is amended as attached exhibit A:

ADOPTED this ____ day of _____, 2023.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Council Chair

APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

Approved CQ/RM email 2-3-23

Christopher Quinn
Senior Prosecutor Attorney-Civil Division

Satpal Singh Sidhu
County Executive,

() Approved () Denied

Date Signed: _____

4 **Chapter 10.30**
5 **~~PERMANENT WEIGHT LIMITATIONS~~**

6 Sections:

7 ~~10.30.010 — Telegraph Road restrictions.~~

8 ~~10.30.015 — Drayton Harbor Road restriction.~~

9 ~~10.30.017 — Giles Road Bridge restriction.~~

10 ~~10.30.020 — Temporary restrictions.~~

11 ~~10.30.025 — Birch Bay Drive.~~

12 **~~10.30.010 Telegraph Road restrictions.~~**

13 ~~A portion of Telegraph Road shall restrict through truck movement of licensed vehicles~~
14 ~~having a gross vehicle weight (GVW) greater than 10,000 pounds until such time as~~
15 ~~the roadway is constructed to a standard capable of handling legal truck loads. The~~
16 ~~restriction shall apply on the following described section of Telegraph Road: That~~
17 ~~portion of 5th Street, known as Telegraph Road, within the plat of McMillan's Addition~~
18 ~~to Whatcom in the west half of the northwest quarter of Section 17, Township 38~~
19 ~~North, Range 3 East, W.M. (Ord. 86-98 (part); Ord. 86-17).~~

20 **~~10.30.015 Drayton Harbor Road restriction.~~**

21 ~~Weight restrictions shall be set at a maximum 15 tons gross vehicle weight for through~~
22 ~~traffic on the Drayton Harbor Road west of Harborview to the Blaine city limits, located~~
23 ~~in Sections 13 and 14, Township 40 North, Range 1 West, W.M., although emergency~~
24 ~~vehicles shall be exempt. (Ord. 89-120).~~

25 **~~10.30.017 Giles Road Bridge restriction.~~**

26 ~~A 10-ton weight limit shall be placed on the Giles Road Bridge, No. 40, over Dakota~~
27 ~~Creek, and stop signs shall be installed stopping both northbound and southbound~~
28 ~~traffic on Giles Road at the Giles Road Bridge, No. 40, and such controls remain in~~
29 ~~effect until such time as bridge number 40 is replaced and found to be structurally~~
30 ~~sound. (Res. 92-005).~~

31 **~~10.30.020 Temporary restrictions.~~**

32 ~~Nothing contained in this chapter shall read to limit or reduce the authority of the~~
33 ~~Whatcom County engineer or other appropriate authority authorized by law from~~
34 ~~placing temporary weight restrictions, or from closing any road in Whatcom County~~
35 ~~due to emergencies. (Ord. 86-98 (part)).~~

1 **10.30.025 Birch Bay Drive.**

2 ~~Weight restrictions are set at a maximum five-ton gross vehicle weight for through~~
3 ~~traffic on Birch Bay Drive from Harborview Road to Shintaffer Road, located in~~
4 ~~Sections 24 and 25, Township 40 North, Range 1 West, W.M., although school buses,~~
5 ~~local service and delivery vehicles, and emergency vehicles shall be exempt. (Ord. 94-~~
6 ~~030).~~

7 **Chapter 12.36**
8 **LOAD LIMITS[±]**

9
10 **12.36.005 Restrictions on specific roads and bridges.**

11 A. ~~All vehicles using the following bridges are restricted to the following weight~~
12 ~~limitations:~~

Bridge -		Tonnage
No.	Bridge Name	Posted
51A	Flynn Road—Fishtrap Creek	15 [±]
127A	Saxon Road—Nooksack River	36
140	Potter Road—Nooksack River	36 Max.
504	Gooseberry Ferry Slip ²	20
507	New Lummi Ferry Slip	20
508	Nooksack Road—Johnson Creek	15 ²

13 The County Engineer is authorized to place load limitations and weight restrictions
14 on roads and bridges as conditions dictate and/or in accordance with applicable
15 ratings, reports or State and Federal requirements.

16 B. The county engineer is authorized to post and maintain signs designating the
17 weight limits designated in this section. (Ord. 94-053; Ord. 82-66; Ord. 80-67 § 1;
18 Ord. 80-61 § 1; Ord. 80-53; Ord. 80-26 §§ 1, 2).

19

20 **12.36.023 Bridge No. 41 – “H” Street over Bertrand Creek.**

21 ~~A 15-ton weight limit is placed on “H” Street Road Bridge No. 41 over Bertrand Creek,~~
22 ~~and weight limit warning signs are placed at Jackman Road and Axling Road to detour~~
23 ~~truck traffic weighing over 15 tons. Such controls shall remain in effect until such~~
24 ~~time as Bridge No. 41 is replaced and found to be structurally sound. (Ord. 93-062).~~

1 **~~12.36.027 Bridge No. 51A – Flynn Road over Fishtrap Creek.~~**

2 ~~A 22-ton weight limit is placed on Flynn Road Bridge No. 51A over Fishtrap Creek, and~~
3 ~~weight limit warning signs are placed on Bay Lyn Road and River Road to detour truck~~
4 ~~traffic weighing over 22 tons. Such controls shall remain in effect until such time as~~
5 ~~Bridge No. 51A is replaced and found to be structurally sound. (Ord. 93-077).~~

6 **~~12.36.030 Bridge No. 124 on Wickersham Street.~~**

7 ~~All vehicles using Bridge No. 124 located on Wickersham Street in the SW 1/4 of the~~
8 ~~NE 1/4 of Section 31, Township 37 North, Range 5 East, W.M., are limited to gross~~
9 ~~load weight of three tons. (Prior code § 7.04.190).~~

10 **~~12.36.040 Bridge No. 127.~~**

11 ~~All vehicles using Bridge No. 127, called the Salon Bridge, in Section 21, Township 37~~
12 ~~North, Range 5 East, W.M., are restricted to three tons gross weight load limit. (Prior~~
13 ~~code § 7.04.040).~~

14 **~~12.36.103 Bridge No. 508 – Nooksack Road over Johnson Creek.~~**

15 ~~A 15-ton weight limit is placed on the Nooksack Road Bridge No. 508 over Johnson~~
16 ~~Creek, and such controls shall remain in effect until such time as Bridge No. 508 is~~
17 ~~replaced and found to be structurally sound. (Ord. 93-063).~~

18 **~~12.36.107 Bridge No. 511 – Coal Creek Road over Deep Creek.~~**

19 ~~A 40-ton weight limit is placed on Coal Creek Road Bridge No. 511 over Deep Creek,~~
20 ~~and weight limit warning signs are placed on Coal Creek Road at Mt. Baker Highway~~
21 ~~and at the bridge located 5.85 miles south of Mt. Baker Highway to detour truck traffic~~
22 ~~weighing over 40 tons. Such controls shall remain in effect until such time as Bridge~~
23 ~~No. 511 is replaced and found to be structurally sound. (Ord. 93-086).~~

24 **~~12.36.120 LaBounty Road.~~**

25 ~~A. Vehicles operating on the LaBounty Road, Section 33, Township 39 North, Range 2~~
26 ~~East, W.M., are limited to 20 tons gross vehicle weight.~~

27 ~~B. Vehicles operating on the LaBounty Road, Section 33, Township 39 North, Range 2~~
28 ~~East, W.M., which are making deliveries to or collections from residences or~~
29 ~~businesses located on this described portion of roadway, are exempt from the~~
30 ~~conditions of subsection A of this section. (Ord. 83-46 §§ 1, 2).~~

31

32 ~~±C. The county engineer is directed to post and maintain appropriate signs and the~~
33 ~~Whatcom County sheriff and the Washington State Patrol shall be notified, by copies~~
34 ~~of the ordinances codified in this chapter~~