



# Whatcom County

COUNTY COURTHOUSE  
311 Grand Avenue, Ste #105  
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(360) 778-5010

## Agenda Bill Master Report

File Number: AB2023-122

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<b>File ID:</b>	AB2023-122	<b>Version:</b>	1	<b>Status:</b>	Adopted
<b>File Created:</b>	02/07/2023	<b>Entered by:</b>	LCumming@co.whatcom.wa.us		
<b>Department:</b>	Public Works Department	<b>File Type:</b>	Ordinance Requiring a Public Hearing		
<b>Assigned to:</b>	Council	<b>Final Action:</b>	03/07/2023		
<b>Agenda Date:</b>	03/07/2023	<b>Enactment #:</b>	ORD 2023-008		

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Primary Contact Email: sdraper@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Ordinance updating Whatcom County Code (WCC) 12.36, Load Limits and repealing WCC 10.30, Permanent Weight Limitations

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

This ordinance will amend Whatcom County Codes 12.36 and 10.30, related to load limits on county roads and bridges, to better reflect the actual process related to this administrative function

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
02/21/2023	Council	INTRODUCED FOR PUBLIC HEARING	Council
		Aye: 7 Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner	
		Nay: 0	
		Absent: 0	
03/07/2023	Council	ADOPTED	
		Aye: 7 Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner	
		Nay: 0	
		Absent: 0	

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**Attachments:** Memo, Proposed Ordinance

**ORDINANCE NO. 2023-008**

**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 7th day of March, 2023.

ATTEST:

  
  
Dana Brown-Davis, Clerk of the Council

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

  
Barry Buchanan, Council Chair

WHATCOM COUNTY EXECUTIVE  
WHATCOM COUNTY, WASHINGTON

  
Satpal Singh Sidhu  
County Executive,

APPROVED AS TO FORM:

Approved CQ/RM email 2-3-23  
Christopher Quinn  
Senior Prosecutor Attorney-Civil Division

Approved       Denied

Date Signed: 3/13/23

**Chapter 12.36**  
**LOAD LIMITS**

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

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

B. The county engineer is authorized to post and maintain signs designating the weight limits designated in this section.

C. The county engineer is directed to post and maintain appropriate signs and the Whatcom County sheriff and the Washington State Patrol shall be notified.