

ORDINANCE NO. 203-13

**AN ORDINANCE OF THE CITY OF WILLIAMS AMENDING
SECTION 10.40 OF THE CITY OF WILLIAMS MUNICIPAL
CODE RELATING TO TRUCK ROUTE EXEMPTIONS FOR
ON-CALL TOW VEHICLES**

WHEREAS, Sections 21101 and 35701 of the California Vehicle Code authorize cities to establish truck routes and to regulate or prohibit truck traffic on city streets; and

WHEREAS, the City Council of the City of Williams (“City”) adopted Ordinance No. 180-10, § 4 on September 1, 2010, establishing and regulating truck routes on city streets; and

WHEREAS, Section 10.40 of the Williams Municipal Code does not permit owners of tow vehicles to drive their vehicles home at night; and

WHEREAS, the City Council finds that, to the extent possible, the City should support and preserve on-call towing services to ensure their availability within the City; and

WHEREAS, based on discussions between City staff, the Chief of Police, and members of the community, the City Council has determined that it is in the best interest of the citizens of Williams to exempt on-call tow vehicles from the truck routes designated in Section 10.40 of the Williams Municipal Code; and

WHEREAS, the City Council finds that the regulations contained in this Ordinance are in the best interest of the health, safety, and welfare of the citizens of Williams.

THE CITY COUNCIL OF THE CITY OF WILLIAMS DOES ORDAIN AS FOLLOWS:

SECTION 1. Purpose. The purpose of this Ordinance is to amend Section 10.40.030 and to add Section 10.08.160 to the City’s Municipal Code regarding the applicability of Section 10.40.020 to on-call tow vehicles.

SECTION 2. Authority. The City Council enacts this Ordinance under the authority granted to Cities by Article XI, Section 7 of the California Constitution and Section 35701 of the California Vehicle Code.

SECTION 3. Amendment. Section 10.40.030 is hereby amended to read in full as follows:

10.40.030 - Applicability of Provisions.

The provisions of this chapter shall not apply to:

- A. Passenger buses under the jurisdiction of the public utilities commission;
- B. Any vehicle which is subject to the provisions of Sections 1031 to 1036, inclusive, of the Public Utilities Code, and a licensed contractor while necessary in the construction, installation or repair of any public utility;
- C. Any other vehicle exempt from the provisions of this chapter by applicable state law;

- D. Any city street on which money from the state highway fund has been or is used for construction or maintenance, except in such cases as the City Council, after notice and hearing, determine are necessary to reduce weight limits as provided in Section 35705 of the Vehicle Code; and
- E. Any on-call tow vehicle designated pursuant to Section 10.08.160 of this code.

SECTION 4. Amendment. Section 10.08.160 is hereby added to read in full as follows:

10.08.160 - On-Call Tow Vehicles.

“On-call tow vehicle” means any commercial tow vehicle with an unladed weight of not more than nineteen thousand pounds (19,000), owned or operated by a towing company that is on the current police department towing rotation list and that has been authorized by the chief of police, or designee, to display a placard identifying it as an on-call tow vehicle.

SECTION 5. Effective Date. This Ordinance shall take effect 30 days after its adoption.

SECTION 6. Posting. Within 15 days from the date of passage of this Ordinance, the City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be posted in three public places within the City of Williams.

PASSED AND ADOPTED this 31st day of July, 2013 by the following vote:

AYES: Council Members Ash, Barker, Plachek-Fulcher, Sellers, Troughton
NOES: None
ABSENT: None
ABSTAIN: None

Patricia Ash, Mayor

ATTEST:

Charles Bergson, City Clerk

APPROVED AS TO FORM:

Ann M. Siprelle, City Attorney