

ORDINANCE 680-AC

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEEDLES REPEALING AND REPLACING CHAPTER 13, ARTICLE IV, SECTION 13-35.1 ENTITLED "USE OF CERTAIN STREETS BY OVERSIZED VEHICLES PROHIBITED"

WHEREAS, California Vehicle Code Section 35701 authorizes the City of Needles ("City") to adopt ordinances prohibiting the use of streets by certain vehicles exceeding a specified weight when alternate routes have been provided; and

WHEREAS, on June 22, 2021, the City passed, approved and adopted Ordinance 640-AC which amended Needles Municipal Code Chapter 13, Article IV by adding section 13-35.1 Entitled "Use Of Certain Streets By Oversized Vehicles Prohibited;" and

WHEREAS, the City of Needles may prohibit any commercial vehicle exceeding a certain manufacturer's gross vehicle weight rating, subject to certain exemptions, from using certain roadways consistent with the City's Policy (TR-1.9) in the Land Use & Transportation Element adopted on February 28, 2023; and

WHEREAS, the purpose of this ordinance is to enhance traffic safety, reduce roadway maintenance costs, and preserve the residential and community character of designated streets by prohibiting the use of certain City streets by trucks exceeding 14,000 pounds or seven (7) tons gross vehicle weight rating (GVWR), consistent with the requirements of the California Vehicle Code (CVC) and the California Department of Transportation (Caltrans); and

WHEREAS, the City seeks to prohibit commercial trucks over 26,000 pounds gross vehicle weight rating (GVWR) from parking on residential streets and in City parks' and

WHEREAS, the City seeks to repeal and replace Needles Municipal Code section 13-35.1 as set forth in Exhibit "A" attached hereto.

NOW, THEREFORE, the City Council of the City of Needles does ordain as follows:

SECTION 1. Incorporation of Recitals. The recitals reflected above are true and correct and are incorporated by this reference herein as the cause and foundation for the action taken by the and through this Ordinance.

SECTION 2. CEQA. Pursuant to Section 15060(c)(2) of the California CEQA Guidelines, adoption of the subject Ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment and therefore is not subject to CEQA. Additionally, pursuant to Section 15060(c)(3) the activity is not a "project" as defined in Section 15378 because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 3. Repeal and Replacement of Needles Municipal Code Section 13-35.1. Needles Municipal Code Section 13-35.1, entitled Use of Certain Streets by Commercial Vehicles Prohibited, of the Needles Municipal Code is hereby repealed and replaced as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

SECTION 4. Effective Date. This action shall become final and effective thirty (30) days after this decision by the City Council as provided by the Needles Municipal Code.

SECTION 5. Severability. If any section or provision of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, or contravened by reason of any preemptive legislation, the remaining sections and/or provisions of this Ordinance shall remain valid. The City Council hereby declares that it would have adopted this Ordinance, and each section or

provision thereof, regardless of the fact that any one or more section(s) or provision(s) may be declared invalid or unconstitutional or contravened via legislation.

SECTION 6. Certification. The City Clerk shall certify to the adoption of this Ordinance and shall transmit copies of the same to the applicant.

INTRODUCED AND READ for the first time and ordered posted at a regular meeting of the City Council of the City of Needles, California, held on the 28th day of April 2026, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Janet Jernigan, Mayor

ATTEST: _____
Candace Clark, City Clerk

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Needles, California, held on the 12th day of May 2026, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Janet Jernigan, Mayor

ATTEST: _____
Candace Clark, City Clerk

Approved as to form: _____
John Pinkney, City Attorney

CHAPTER 13. MOTOR VEHICLES AND TRAFFIC

Article IV. Operation of Vehicles.

Sec. 13-35.1 Use of certain streets by oversized vehicles prohibited. (a) Whenever this chapter designates and describes any street or portion thereof as a street the use of which is prohibited to any oversized vehicle, the city traffic engineer shall erect and maintain appropriate signs on those streets affected.

(b) The provisions of this section shall not apply to passenger buses under the jurisdiction of the state public utilities commission.

(c) In accordance with this section, the following streets and parts of streets are hereby declared to be streets the use of which is prohibited by any oversized vehicle over six thousand pounds gross weight (except school buses and city vehicles) and/or eight (8) feet tall and subject to the exceptions of sections 35701 and 35703 of the Vehicle Code of the state:

Third Street, between J and C Streets.

North K Street, between Needles Highway and Front Street.

Chestnut Street, between West Broadway and North K Street.

Walnut Street, between West Broadway and North K Streets.

M Street, between Needles Highway and Spruce Street.

N Street, between Needles Highway and Spruce Street.

(d) Exceptions. The provisions of this section shall not apply to trucks performing local deliveries or local pick-ups to or from destinations located on the restricted streets, provided no reasonable alternative route exists; trucks owned or operated by a public utility, public agency, or municipality engaged in construction, maintenance, or emergency operations; emergency vehicles as defined California Vehicle Code section 165; transit vehicles, including buses operated by public transit agencies; or garbage collection, postal service, and other essential municipal service vehicles.

Sec. 13-35.2 Oversized vehicles prohibited from parking on the streets identified in Sec. 13.35.1(c), residential streets and City parks. Commercial trucks over twenty six thousand (26,000) pounds gross vehicle weight rating (GVWR) (except school buses and city vehicles) are prohibited from parking on the streets identified in Sec 13.35.1(c), any residential street within the City as designated in the City of Needles Transportation Element, as it may be amended from time to time, and City parks.

Sec. 13-35.3 Signage. Appropriate signage indicating the truck restrictions in this section shall be installed by the City at locations deemed necessary by the City to provide notice to drivers, in accordance with Caltrans and California Manual on Uniform Traffic Control Devices (CA MUTCD) standards. Enforcement of the prohibition shall commence upon installation of said signage.

Sec. 13-35.4 Violation—Penalty. In the discretion of the Enforcement Officer or designee identified by the City Manager, any person violating the provisions of Sections 13-35.1 and 13-35.2 shall be issued an administrative citation or a citation for a misdemeanor pursuant to Needles Municipal Code section 2A-04. The following specific fines shall apply:

- (1) A fine of five hundred dollars (\$500) shall be imposed for the unauthorized parking of any commercial vehicle in a location not designated for commercial vehicle parking and/or on a roadway that is not an authorized truck route, in violation of this Chapter.