

Article V-1. Interstate Trucks.Sec. 29-17.1. Definitions.

The following words and phrases shall have the meanings set forth, and if any word or phrase used in this article is not defined in this section, it shall have the meanings set forth in the California Vehicle Code; provided that if any such word or phrase is not defined in the vehicle code, it shall have the meaning attributed to it in ordinary usage.

- (a) Terminal means any facility at which freight is consolidated to be shipped or where full load consignments may be loaded and off loaded or at which the vehicles are regularly maintained, stored or manufactured.
- (b) Interstate truck means a truck tractor and semi-trailer or truck tractor, semi-trailer and trailer with unlimited length as regulated by the vehicle code.
- (c) Engineer means the city engineer or his authorized representative.
- (d) Caltrans means the State of California Department of Transportation or its successor agency. (Ord. No. 589)

Sec. 29-17.2. Purpose.

The purpose of this article is to establish procedures for terminal designation and truck route designation to terminals for interstate trucks operating on a federally designated highway system and to promote the general health, safety and welfare of the public. (Ord. No. 589)

Sec. 29-17.3. Application.

- (a) Any interested person requiring terminal access for interstate trucks from the federally designated highway system shall submit an application, on a form as provided by the city, together with such information as may be required by the city engineer and appropriate fees to the City of Paramount.
- (b) Upon receipt of the application, the city engineer will cause an investigation to be made to ascertain whether or not the proposed terminal facility meets the requirements for an interstate truck terminal. Upon his approval of that designation, he will then determine the capability of the route requested and alternate routes, whether requested or not. Determination of route capability will include, without limitation, a review of adequate turning radii and lane widths of ramps, intersections and highways and general traffic conditions such as sight distance, speed and traffic volumes. No access off a federally designated highway system will be approved without the approval of Caltrans.
- (c) Should the requested route pass through the City of Paramount to a terminal located in another jurisdiction, the applicant shall also comply with that jurisdiction's application process. Applicant shall furnish proof of approvals by all other affected jurisdictions. Costs for trailblazer signs shall be as provided in section 29-17.4. (Ord. No. 589)

Sec. 29-17.4. Fees and costs.

- (a) The applicant shall pay a nonrefundable application fee, as established by the city by resolution, sufficient to pay the cost of the review of the terminal designation and the review of the route and alternate route.
- (b) Upon the approval of the terminal designation and route by the city and by Caltrans, the applicant shall deposit with the City of Paramount sufficient funds as estimated by the city engineer to pay for the purchase and installation of terminal trailblazer signs. Trailblazer signs will be required at every decision point in the city on route to the terminal. Upon completion of the installation of the signs, the actual cost shall be computed and any difference between the actual and the estimated cost shall be billed or refunded to the applicant, whichever the case may be. No terminal or route may be used until such signs as may be required are in place. Costs for trailblazer signs may be proportioned in accordance with the procedures in section 29-17.5. (Ord. No. 589)

Sec. 29-17.5. Retrofitting.

- (a) If all feasible routes to a requested terminal are found unsatisfactory by the city engineer, the applicant may request retrofitting the deficiencies. All costs of engineering, construction and inspection will be the responsibility of the applicant. Except when the retrofitting of deficiencies is within the jurisdiction of Caltrans, the actual construction will be done by the city or by a contractor acceptable to it.
- (b) When the work is to be done by the city, the applicant shall deposit with the City of Paramount the estimated cost of retrofitting. Adjustments between the estimated and actual cost shall be made after completion of work and any difference between the actual and the estimated cost shall be billed or refunded to the applicant as the case may be. When the work is done by the applicant, the applicant may file with the city engineer, on a form satisfactory to the city engineer, a statement detailing the actual costs of the retrofitting.
- (c) If at any time within five years from the date of completion of the retrofitting by the applicant, should any applicant seek terminal approval which would use the route upon which such retrofitting was accomplished, any such applicants' fee may include that applicants' proportionate share of the retrofitting as determined by the city engineer, which fee shall be disbursed by the City of Paramount to the applicant who paid for the retrofitting if still doing business at the terminal designated under his application as well as to any other applicant who contributed to the cost of retrofitting under this subsection. Nothing herein shall require the payment of a proportionate fee if the applicant doing the work failed to file the report with the city engineer required by subsection (b) above. (Ord. No. 589)

Sec. 29-17.6. Revocation of route.

The city engineer may revoke any approved terminal or route if the terminal or route becomes a traffic hazard for vehicular traffic. A safety hazard includes the inability of interstate trucks to negotiate the route or said vehicles causing unsafe driving conditions for other vehicular traffic or pedestrians. (Ord. No. 589)

Sec. 29-17.7. Appeal process.

- (a) If the city engineer denies a terminal designation or route feasibility or revokes a previously approved terminal or route, the applicant/terminal owner within ten days following the date of receipt of the decision of the city engineer may appeal said decision to the city council in writing. An appeal shall be filed with the city clerk. The appeal shall state specifically whether there was an error or abuse of discretion by the city engineer or wherein its decision is not supported by the evidence in the record. Within five days of the filing of an appeal, the city engineer shall transmit to the city clerk the terminal application, the sketches of the revoked route and all other data filed therewith, the report of the city engineer, the findings of the city engineer and his decision on the application.
- (b) The city clerk shall make copies of the data provided by the city engineer available to the applicant and to the appellant (if the applicant is not the appellant) for inspection and may give notice of the time when the appeal will be considered by the city council.
- (c) If Caltrans and not the city engineer denies or revokes terminal access from federally designated highways, no appeal may be made to the city council, but must be made to Caltrans as may be permitted by Caltrans. (Ord. No. 589)

Sec. 29-17.8. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance, or the application thereof to any person, firm, corporation or circumstance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion thereof. The city council of the City of Paramount hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional. (Ord. No. 589)

(Ord. No. 589)

(This page left blank intentionally)