
City Attorney

2019 MAR 14 AM 10:28

OAKLAND CITY COUNCIL
ORDINANCE NO. 13528 C.M.S.

ORDINANCE AMENDING SECTION 10.52.060 OF THE OAKLAND MUNICIPAL CODE TO ADD 56TH ST AND 58TH ST BETWEEN SHATTUCK AVE AND TELEGRAPH AVE TO THE LIST OF CITY STREETS WHERE COMMERCIAL VEHICLES EXCEEDING FOUR AND ONE-HALF TONS ARE PROHIBITED

WHEREAS, California Vehicle Code section 35701 allows local authorities, by ordinance, to prohibit the use of a street by any commercial vehicle or by any vehicle exceeding a maximum gross weight limit; and

WHEREAS, Oakland Municipal Code (OMC) Section 10.52.060 prohibits commercial vehicles with a gross vehicle weight rating above four and one-half tons from using specific street segments; and

WHEREAS, the restriction in OMC Section 10.52.060 does not apply to passenger buses and commercial vehicles exceeding four and one-half tons that are using the restricted streets in question as a direct route to deliver goods or services; and

WHEREAS, Residents between Shattuck Ave and Telegraph Ave requested City staff to prohibit large commercial trucks from using 56th St and 58th St as a cut-through route; and

WHEREAS, said residents stated that large commercial trucks have collided with parked cars, and residents have stated concerns about trucks degrading street quality; and

WHEREAS, staff's investigation indicated that large commercial trucks were using 56th St and 58th St as a cut-through route between Telegraph Ave and Shattuck Ave; and

WHEREAS, the City Council finds that the above action is exempt from the California Environmental Quality Act (CEQA) as specified under CEQA Guidelines Section 15301 because the action involves a minor alteration to existing public facilities relating to regulatory traffic controls on two City-maintained right-of-ways, resulting in no expansion of use beyond that existing at the time of the City Council's action; and

WHEREAS, the prohibition of large commercial trucks on 56th St and 58th St encourages said vehicles to use designated City truck routes; now, therefore

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

Section 1. Oakland Municipal Code, Title 10, Chapter 10.52.060 Amended. Oakland Municipal Code Title 10, Chapter 10.52.060 is amended adding 1) 56th Street from Telegraph Avenue to Shattuck Avenue, and 2) 58th St from Telegraph Avenue to Shattuck Avenue to the list of streets

where commercial vehicles exceeding a gross vehicle weight rating of four and one-half tons are prohibited.

10.52.060- Vehicles exceeding four and one-half tons prohibited use on certain streets. When such streets are appropriately sign posted, the use of the hereinafter described portion of the hereinafter named streets by any motor vehicle (other than passenger buses and passenger stages referred to in Section 50-1/4 of the Public Utilities Act of the state of California), when the total weight of the vehicle and load exceeds four and one-half tons, except for the purpose of loading and unloading thereon, is prohibited

Section 2. California Environmental Quality Act. The City Council finds that the above action is exempt from the California Environmental Quality Act (CEQA) as specified under CEQA Guidelines Section 15301 because the action involves a minor alteration to existing public facilities relating to regulatory traffic controls on two City-maintained right-of-ways, resulting in no expansion of use beyond that existing at the time of the City Council's action.

Section 3. This ordinance shall be effective upon approval by the Council of the City of Oakland if upon final passage it passes with six or more affirmative votes. It will take effect seven days after final passage if the ordinance passes with five affirmative votes.

APR 16 2019

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

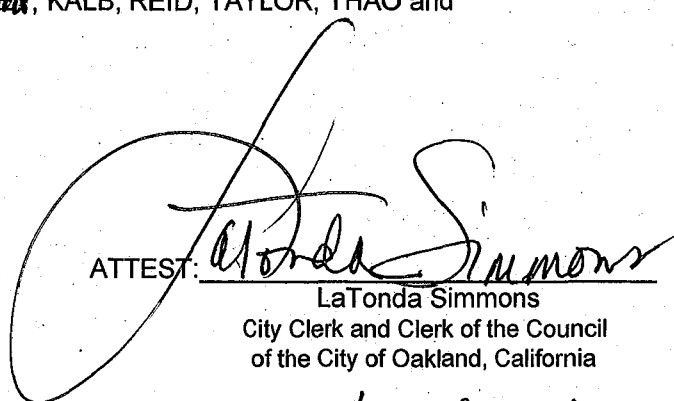
AYES- FORTUNATO BAS, GALLO, ~~McElhenny~~, KALB, REID, TAYLOR, THAO and PRESIDENT KAPLAN, 7

NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused - 1 McElhenny

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION: 4-19-2019

Introduction Date

APR 02 2019

NOTICE AND DIGEST

AN ORDINANCE AMENDING SECTION 10.52.060 OF THE OAKLAND MUNICIPAL CODE TO ADD 56TH ST AND 58TH ST BETWEEN SHATTUCK AVE AND TELEGRAPH AVE TO THE LIST OF CITY STREETS WHERE COMMERCIAL VEHICLES EXCEEDING FOUR AND ONE-HALF TONS ARE PROHIBITED

By adopting the ordinance, City Council will approve amending Section 10.52.060 of the Oakland Municipal Code to add 56th Street and 58th Street between Telegraph Avenue and Shattuck Avenue to the list of City streets where commercial vehicles exceeding four and one-half tons in gross vehicle weight rating are prohibited. This action is being taken to eliminate bypass truck traffic on local streets. The proposed restriction will not apply to passenger buses or commercial vehicles exceeding four and one-half tons that are using the subject streets as a direct route to deliver goods or services.