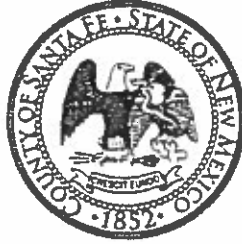


Henry Roybal
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: *April 21, 2015*

TO: *Board of County Commissioners*

FROM: *Adam Leigland, Public Works Department Director* *ML*

VIA: *Katherine Miller, County Manager*

ITEM AND ISSUE: *BCC Meeting April 28, 2015*
Ordinance No. 2015-__, An Ordinance Establishing Weight Limits on Various County-Maintained Roads (Second and Final Public Hearing) (Public Works/Robert Martinez)

SUMMARY:

The purpose of this ordinance is to restrict heavy truck traffic which exceeds the allowable weight that the asphalt pavement of the road will support, by imposing a maximum weight limitation on through-truck traffic.

DISCUSSION:

The BCC authorized staff to publish title and general summary of the proposed ordinance at the February 24, 2015, BCC meeting. The title and general summary was published in the Albuquerque Journal on March 16, 2015, for the two public hearings to be conducted at the March 31st and April 28th BCC meetings. The BCC conducted the first public hearing on March 31, 2015.

The Public Works Department frequently receives complaints from the public regarding commercial heavy truck traffic in their neighborhoods. In order to uniformly impose heavy truck traffic restrictions, staff developed policies and procedures for proposing weight limits on asphalt paved County roads. On October 14, 2014, the BCC adopted Resolution 2014-114 "A resolution adopting policies and procedures for proposing weight limits on asphalt paved roads maintained by Santa Fe County".

As per the adopted policies and procedures, staff conducted assessments on County Road 33-Old Lamy Trail, County Road 62-Caja del Oro Grant Road, Caja del Rio Road and County Road 45-Bonanza Creek Road. The results are as follows:

1. **County Road 33-Old Lamy Trail**, which extends from US 285 into the community of Lamy, is an access road to a historic residential area and a rail road station for Santa Fe

Southern Railway and Amtrak. The structural number for said paved road, which accounts for a 2% growth, meets the existing traffic conditions, but heavy truck traffic that exceeds the current conditions will cause said road to fail prematurely. A **5-ton weight limit per axle** is required for this road.

2. **County Road 62-Caja del Oro Grant Road**, which extends from Agua Fria Road to NM 599 Frontage Road, provides access to NM 599 and neighborhoods north of NM 599. The structural number for said paved road, which accounts for a 2% growth, does not meet the existing traffic conditions and will cause said road to fail prematurely. A **5-ton weight limit per axle** is required for this road.
3. **Caja del Rio Road**, which extends from the NM 599 Frontage Road to Las Campanas Drive, provides access to the Municipal Recreation Complex, Marty Sanchez Golf Course, Santa Fe Animal Shelter, and Caja del Rio Landfill. The structural number for said paved road, which accounts for a 2% growth, meets the existing traffic conditions. As per the Settlement and Road Improvement Agreements between the County, King Brothers Ranch, Western Mobile Incorporated, Richard Cook and Las Campanas Limited Partnership, dated October 6, 1997, which acquired the right-of-way for said road, a 10,000 pound weight limit shall be posted on said road north of the landfill access road (Wildlife Way). A **5-ton weight limit** is required for this road.
4. **County Road 45 –Bonanza Creek Road**, which extends from NM 14 to the I-25 Frontage Road, provides access to various communities east of NM 14. The structural number for said paved road, which accounts for a 2% growth, meets the existing traffic conditions, but heavy truck traffic that exceeds the current conditions will cause said road to fail prematurely. A **5-ton weight limit per axle** is required for this road.

The assessments staff used to determine if these roads warranted weight restrictions are as follows:

- Traffic study & vehicle classification
- Road structure evaluation
- Equivalent Single Axle Load (ESAL) calculation

As a verification of the County process, staff compared the County's assessment of Old Lamy Trail to the one conducted by Geo-Test, a local engineering company. The County's assessment determined the EASLs with a 2% growth over the next 20 years to be 39,000. Geo-Test's assessment, which was much more expensive and time-consuming, determined the EASLs over the same timeframe to be 37,568. The County's assessment is less than 4% higher than the assessment by Geo-Test for this road and, therefore, staff is confident in the County process and the results for all of the roads.

There are exceptions to the weight limits. First, as previously indicated, the purpose of the ordinance is to generally restrict through traffic. Consequently, local traffic is not restricted. (Proposed Ordinance, § 6(D)-(E).) Second, emergency vehicles, road machinery engaged in highway construction or maintenance, and implements of husbandry are exempt even if they are using the roads as through roads. (Proposed Ordinance, § 6(A)-(C).) Among others, these exceptions are based upon public safety and the fact that road machinery and implements of husbandry move slowly, have limited fuel efficiency, and are not commercial haulers.

REVISIONS PROPOSED BY STAFF. In light of comments made at the first public hearing as well as further due diligence, staff is recommending several substantive changes (in addition to technical, clean-up changes) to the version of the ordinance the BCC authorized staff to publish title and general summary of at its February 24, 2015, meeting. Attachment No. 4 is a redline of the proposed ordinance, which shows all proposed changes to the version of the ordinance that the BCC considered on February 24, 2015.

First, staff recommends that the exceptions in Section 6 be broken out into separate lettered subsections for readability.

Second, staff recommends an additional exception to further underscore the through traffic nature of the general restriction and avoid potential unintended consequences with respect to addresses on the subject roads or accessed solely via those roads. This is in Section 6(E).

Third, staff is recommending that Ordinance No. 2005-3 be repealed in new Section 10. Ordinance No. 2005-3 established weight limits for Caja Del Rio Road, the substances of which are captured in the proposed ordinance. By compiling all weight restrictions into a single ordinance and repealing Ordinance No. 2005-3, it will be easier for the public to find and comply with the law as well as ensure a uniform set of exceptions and uniform standards and processes for temporary, excessive weight permits.

Fourth, staff recommends that the effectiveness of the weight limits at protecting and preserving the asphalt of the roads be assessed no less frequently than every three years. This is new Section 11.

Fifth, staff proposes a severability clause, so that, if one section of the proposed ordinance is declared invalid, it does not affect other provisions that can be given effect without the invalid provision. This is new Section 12.

ACTION REQUESTED:

Public Works requests the BCC conduct the final public hearing and adopt the proposed ordinance establishing weight limits on various County-maintained roads.

Attachments:

1. ESAL Calculations
2. Road Structure Evaluation
3. Ordinance No. 2005-3
4. Revised Proposed Ordinance

State Aid ESAL Traffic Forecast Calculator - 04/07/2014

This ESAL calculator is for use with site specific Heavy Commercial Traffic values; click "Default Traffic Values" sheet below if you wish to use default Heavy Commercial Traffic values.

Instructions: All yellow boxes require an input value.

Dropdown choices are provided for Base Year (C18) and Number of Lanes (C19).

You must click on cells C18 and C19 to access the dropdown choices.

General Information

Date	12/18/14
Forecast Performed by	Diego Gomez
Name of County or City	Santa Fe County
Project Number	
Project Description	Additional ESAL for Heavy Truck Traffic
Route Number	Old Lamy Trail
Base Year (i.e. opening to traffic)	2014
Number of Lanes (total both directions)	2

Historical AADT (enter a minimum of two years)

Enter oldest traffic data here

Enter second oldest traffic data here

Enter third oldest traffic data here

Enter fourth oldest traffic data here

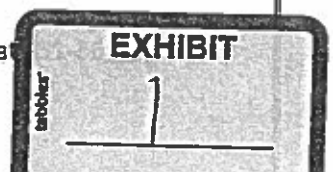
Year	AADT
2010	434
2014	472

Base Year AADT	2014	470
20-Year AADT	2034	660
35-Year AADT	2049	800
Growth Rate		2.02%

Vehicle Type	Vehicle Class %	ESAL Factors	
		Flexible	Rigid
2AX-6TIRE SU (Class 5)	3.90%	0.25	0.24
3AX+SU (Class 6)	0.46%	0.58	0.85
3AX TST (Class 8)	0.92%	0.39	0.37
4AX TST (Class 7)	0.00%	0.51	0.53
5AX+TST (Class 9)		1.13	1.89
TR TR, BUSES (Class 4)		0.57	0.74
TWIN TRAILERS (Class 11,12,13)		2.40	2.33
Total	5.28%	NA	NA

20-Year Flexible Forecast =	39,000
20-Year Rigid Forecast =	40,000
35-Year Flexible Forecast =	75,000
35-Year Rigid Forecast =	78,000

For State Aid questions and information, please contact Malaki Ruranika (MnDOT State Aid) at 651-366-3831 or Joel Ulring (MnDOT State Aid) at 651-366-3831.



State Aid ESAL Traffic Forecast Calculator - 04/07/2014

This ESAL calculator is for use with site specific Heavy Commercial Traffic values; click "Default Traffic Values" sheet below if you wish to use default Heavy Commercial Traffic values.

Instructions: All yellow boxes require an input value.

Dropdown choices are provided for Base Year (C18) and Number of Lanes (C19).

You must click on cells C18 and C19 to access the dropdown choices.

General Information

Date	12/18/14
Forecast Performed by	Diego Gomez
Name of County or City	Santa Fe County
Project Number	
Project Description	ESAL
Route Number	Caja Del Rio
Base Year (i.e. opening to traffic)	2014
Number of Lanes (total both directions)	2

Historical AADT (enter a minimum of two years)

	Year	AADT
Enter oldest traffic data here	2010	2,188
Enter second oldest traffic data here	2014	2,324
Enter third oldest traffic data here		
Enter fourth oldest traffic data here		
Base Year AADT	2014	2,320
20-Year AADT	2034	3,250
35-Year AADT	2049	3,950
Growth Rate		2.00%

Vehicle Type	Vehicle Class	ESAL Factors	
		Flexible	Rigid
2AX-6TIRE SU (Class 5)	8.18%	0.25	0.24
3AX+SU (Class 6)	5.51%	0.58	0.85
3AX TST (Class 8)	0.13%	0.39	0.37
4AX TST (Class 7)	0.77%	0.51	0.53
5AX+TST (Class 9)	1.55%	1.13	1.89
TR TR, BUSES (Class 4)	1.08%	0.57	0.74
TWIN TRAILERS (Class 11,12,13)	0.26%	2.40	2.33
Total	17.48%	NA	NA

20-Year Flexible Forecast =	1,038,000
20-Year Rigid Forecast =	1,368,000
35-Year Flexible Forecast =	2,003,000
35-Year Rigid Forecast =	2,640,000

For State Aid questions and information, please contact Malaki Ruranika (MnDOT State Aid) at 651-366-3825 or Joel Ulring (MnDOT State Aid) at 651-366-3831.

State Aid ESAL Traffic Forecast Calculator - 04/07/2014

This ESAL calculator is for use with site specific Heavy Commercial Traffic values; click "Default Traffic Values" sheet below if you wish to use default Heavy Commercial Traffic values.

Instructions: All yellow boxes require an input value.

Dropdown choices are provided for Base Year (C18) and Number of Lanes (C19).

You must click on cells C18 and C19 to access the dropdown choices.

General Information

Date

1/21/15

Forecast Performed by

Diego Gomez

Name of County or City

Santa Fe County

Project Number

Project Description

ESAL

Route Number

Bonanza Creek Road

Base Year (i.e. opening to traffic)

2014

Number of Lanes (total both directions)

2

Historical AADT (enter a minimum of two years)

Enter oldest traffic data here

Enter second oldest traffic data here

Enter third oldest traffic data here

Enter fourth oldest traffic data here

Year

AADT

2010

850

2014

923

Base Year AADT

2014

920

20-Year AADT

2034

1,290

35-Year AADT

2049

1,560

Growth Rate

2.01%

Vehicle Type	Vehicle Class %	ESAL Factors	
		Flexible	Rigid
2AX-6TIRE SU (Class 5)	6.72%	0.25	0.24
3AX+SU (Class 6)	1.84%	0.58	0.85
3AX TST (Class 8)	1.95%	0.39	0.37
4AX TST (Class 7)	0.00%	0.51	0.53
5AX+TST (Class 9)	0.43%	1.13	1.89
TR TR, BUSES (Class 4)		0.57	0.74
TWIN TRAILERS (Class 11,12,13)		2.40	2.33
Total	10.94%	NA	NA

20-Year Flexible Forecast = 190,000

20-Year Rigid Forecast = 224,000

35-Year Flexible Forecast = 365,000

35-Year Rigid Forecast = 430,000

For State Aid questions and information, please contact Malaki Ruranika (MnDOT State Aid) at 651-366-3825 or Joel Uiring (MnDOT State Aid) at 651-366-3831.

State Aid ESAL Traffic Forecast Calculator - 04/07/2014

This ESAL calculator is for use with site specific Heavy Commercial Traffic values; click "Default Traffic Values" sheet below if you wish to use default Heavy Commercial Traffic values.

Instructions: All yellow boxes require an input value.
 Dropdown choices are provided for Base Year (C18) and Number of Lanes (C19).
 You must click on cells C18 and C19 to access the dropdown choices.

General Information

Date	2/8/14
Forecast Performed by	Diego Gomez
Name of County or City	Santa Fe County
Project Number	
Project Description	ESAL
Route Number	Caja del Oro-CR 62
Base Year (i.e. opening to traffic)	2014
Number of Lanes (total both directions)	2

Historical AADT (enter a minimum of two years)

Enter oldest traffic data here	Year	AADT
Enter second oldest traffic data here	2010	2,572
Enter third oldest traffic data here	2014	2,796
Enter fourth oldest traffic data here		
Base Year AADT	2014	2,800
20-Year AADT	2034	3,920
35-Year AADT	2049	4,760
Growth Rate		2.00%

Vehicle Type	Vehicle Class %	ESAL Factors	
		Flexible	Rigid
2AX+6TIRE SU (Class 5)	7.44%	0.25	0.24
3AX+SU (Class 6)	0.75%	0.58	0.85
3AX TST (Class 8)	0.43%	0.39	0.37
4AX TST (Class 7)	0.07%	0.51	0.53
5AX+TST (Class 9)		1.13	1.89
TR TR; BUSES (Class 4)	0.43%	0.57	0.74
TWIN TRAILERS (Class 11,12,13)		2.40	2.33
Total	9.12%	NA	NA

20-Year Flexible Forecast = 396,000
 20-Year Rigid Forecast = 424,000
 35-Year Flexible Forecast = 764,000
 35-Year Rigid Forecast = 818,000

For State Aid questions and information, please contact Malaki Ruranika (MnDOT State Aid) at 651-366-3825 or Joel Ullring (MnDOT State Aid) at 651-366-3831.



County Rd Name	County Road Number	ESAL - Equivalent Single Axle Load (20 Yr Flexible Design)	Average Asphalt Thickness (Inches)	Average Basecourse Thickness (Inches)	Existing Structural Number
Old Lamy Trail	33	39,000	2.125	3	1.265
Bonanza Creek Rd	45	190,000	2.81	3.253	1.59
Caja Del Oro Grant Rd	62	396,000	2	4	1.32
Caja Del Rio	NA	1,038,000	3	6	1.98

NMMDOT Minimum Flexible Pavement Total Layer Thickness

Traffic, (ESALs)	New HMA Surface Treatment	UTBC	Structural Number Required	County Road
Less than 50,000		4.0-inches	0.44	Old Lamy Trail
50,001 to 150,000	2.0-inches	4.0-inches	1.32	
150,001 to 500,000	2.5-inches	4.0-inches		Bonanza Creek Rd and Caja Delo Oro Grant Rd
500,001 to 2,000,000	3.0-inches	6.0-inches	1.54	Caja Delo Oro Grant Rd Caja Del Rio
2,000,001 to 7,000,000	3.5-inches	6.0-inches	2.2	
Greater than 7,000,000	4.0-inches	6.0-inches	2.42	

SANTA FE COUNTY

ORDINANCE NO. 2005- 3

ORDINANCE RESTRICTING THROUGH TRUCK TRAFFIC ON CAJA DEL RIO ROAD IN SANTA FE COUNTY

BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY, NEW MEXICO:

Section 1. Short Title.

This ordinance may be referred to as the "Caja Del Rio Truck Traffic Restriction Ordinance."

Section 2. Definitions. As used in this Ordinance:

- A. *Authorized Emergency Vehicle* means any fire department vehicle, police vehicle, ambulance and any emergency vehicles operated by the State of New Mexico, a municipality or County or operated by a public utility.
- B. *Gross vehicle weight* means the weight of a vehicle inclusive of any load.
- C. *School bus* means any motor vehicle operating under the authority of a Board of Education or private or parochial school interests that is used to transport children, students or teachers to or from schools or to and from any school activity, but not including any vehicle:
 - (1) operated by a common carrier, subject to and meeting all requirements of the public regulation commission but not used exclusively for the transportation of pupils;
 - (2) operated solely by a government-owned transit authority, if the transit authority meets all safety requirements of the public regulation commission but is not used exclusively for the

SFC CLERK RECORDED 05/25/2005

EXHIBIT

3

tabbles

transportation of pupils; or
(3) operated as a per capita feeder as defined in NMSA 1978,
§22-16-6.

- D. *Truck* means every motor vehicle designed, used or maintained primarily for the transportation of property.
- E. *Trailer* means any vehicle, without motive power, designed for carrying persons or property and for being drawn by a motor vehicle, and so constructed that no significant part of its weight rests upon the towing vehicle.
- F. *Solid Waste Truck* means any vehicle specifically designed to collect and transport solid waste or recyclables.

Section 3. Restricted Traffic.

- A. Solid waste trucks and truck trailers, with a gross vehicle weight of five (5) tons or more, are prohibited from using Caja del Rio Road to travel between US 285 and SR 599 or to use Caja del Rio Road between Las Campanas Drive and Wildlife Way.
- B. Trucks and truck trailers with a gross vehicle weight of 5 tons or more are prohibited for through traffic between US 285 and SR 599.
- C. This Ordinance shall not apply to travel of a solid waste truck or truck trailer which is delivering to a local resident.
- D. This Ordinance shall not apply to authorized emergency vehicles, government or utility vehicles, service and transportation vehicles, a school bus.

Section 4. Obligations of Santa Fe County.

- A. The Santa Fe County Public Works Department shall forward a copy of this Ordinance to the New Mexico State Motor Transportation Division of the Department of Public Safety.
- B. The Santa Fe County Public Works Department shall install weight limitation signs appropriately and conspicuously on the affected portion of Caja Del Rio Road.

SFC CLERK RECORDED 05/25/2005

Ordinance Restricting Through Truck Traffic
On Caja del Rio Road in Santa Fe County

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC ORDINANCE
PAGES: 3

I Hereby Certify That This Instrument Was Filed for
Record on The 25TH Day of May A.D. 2005 at 14:24
And Was Duly Recorded as Instrument # 1381425
Of The Records Of Santa Fe County

Valerie Espinoza
Attest My Hand And Seal Of Office
Valerie Espinoza
County Clerk, Santa Fe, NM

Section 5. Saving Clause.

If any of the sections, subsections, sentences, clauses, or phrases, of this Ordinance are for any reason held to be unconstitutional or invalid, the validity of the remaining portions of this Ordinance shall not be hereby affected since it is the express intent of the County Commission to pass each section, phrase, paragraph and word separately.

Section 6. Penalties.

Penalty for violation of this Ordinance shall be imposed in accordance with NMSA 1978, §4-37-3 (1993), and as may be amended.

Section 7. Effective Date.

This Ordinance shall become effective as of the date provided by law.

PASSED, APPROVED AND ADOPTED THIS 24 DAY OF May, 2005.

THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY

[Signature]
MICHAEL D. ANAYA, CHAIRMAN
By: *Harry Montoya*, Vice Chairman

ATTEST:

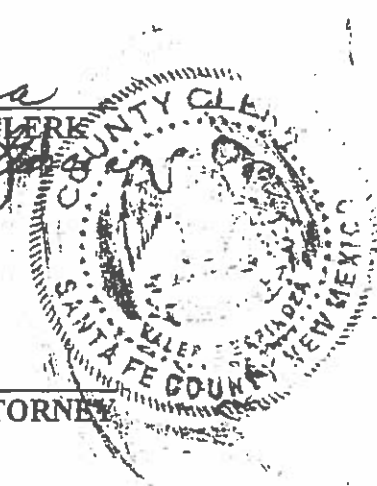
Valerie Espinoza
VALERIE ESPINOZA, COUNTY CLERK
By: *Julie Cooper*

APPROVED AS TO FORM:

Stephen C. Ross
by STEPHEN C. ROSS, COUNTY ATTORNEY



CLERK RECORDED 05/25/2005



THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

ORDINANCE NO. 2015-___

AN ORDINANCE
ESTABLISHING WEIGHT LIMITS ON VARIOUS COUNTY MAINTAINED ROADS

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY:

1. **SHORT TITLE.** This Ordinance shall be cited as the "County Road Weight Limit Ordinance" and shall be referred to herein as the "the Ordinance" or "this Ordinance."

2. **AUTHORITY.** This Ordinance is enacted pursuant to NMSA 1978, § 3-49-1, § 4-37-1, § 4-37-3, and § 66-7-415, and the Weight Limit Policy.

3. **DEFINITIONS.**

A. "Emergency vehicle" means any fire department vehicle or apparatus, police vehicle or apparatus, ambulance, and any other emergency vehicles or apparatus operated by the State of New Mexico, a municipality or county, or a public utility.

B. "Board" means the Board of County Commissioners of the County.

C. "County" means Santa Fe County.

D. "Combination" means any connected assemblage of a motor vehicle and one or more semitrailers, trailers or semitrailers converted to trailers by means of a converter gear.

E. "Gross combination vehicle weight" means the total of the gross vehicle weights of all units of a combination.

F. "Gross vehicle weight" means the weight of a loaded vehicle.

G. "Implement of husbandry" means every vehicle that is designed for agricultural purposes and exclusively used by the owner in the conduct of agricultural operations.

H. "Motor vehicle" means every vehicle that is self-propelled and every vehicle that is propelled by electric power obtained from batteries or from overhead trolley wires, but not operated upon rails.

I. "Permitting officials" means the Public Works Department Director or staff designated by him in writing as having the authority to issue temporary, excessive weight permits.

J. "School bus" means a commercial motor vehicle used to transport preprimary, primary or secondary school students from home to school, from school to home or to and from school-sponsored events, but not including a vehicle:

(1) operated by a common carrier, subject to and meeting all requirements of the public regulation commission but not used exclusively for the transportation of students;



(2) operated solely by a government-owned transit authority, if the transit authority meets all safety requirements of the public regulation commission but is not used exclusively for the transportation of students; or

(3) operated as a per capita feeder as defined in Section 22-16-6 NMSA 1978.

K. "Semitrailer" means a vehicle without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some significant part of its weight and that of its load rests upon or is carried by another vehicle.

L. "Ton" means 2,000 pounds.

M. "Trailer" means any vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle, and so constructed that no significant part of its weight rests upon the towing vehicle.

N. "Truck" means every motor vehicle designed, used or maintained primarily for the transportation of property.

O. "Truck tractor" means every motor vehicle designed and used primarily for drawing other vehicles and constructed to carry a part of the weight of the vehicle and load drawn.

P. "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including any frame, chassis, body or unitized frame and body of any vehicle or motor vehicle, except devices moved exclusively by human power or used exclusively upon stationary rails or tracks.

Q. "Weight Limit Policy" means the Policy adopted by Resolution No. 2014-114.

4. FINDINGS.

A. Roads paved with asphalt represent a significant investment by the County, since asphalt pavement is the most expensive road construction material.

B. Asphalt paved roads are engineered and constructed to withstand specific maximum weights and traffic volumes on a regular basis.

C. Pursuant to the Weight Limit Policy and the Settlement and Road Improvement Agreements between the County, King Brothers Ranch, Western Mobile Incorporated, Richard Cook, and Las Campanas Limited Partnership, dated October 6, 1997, the Public Works Department has assessed the roads identified in Section 5 of this Ordinance to determine if weight limits are advisable.

D. Based upon the Public Works Department's assessment, the Board has determined that the weight limits established in Section 5 should be imposed to protect the identified roads.

5. WEIGHT LIMITS ON DESIGNATED ROADS.

<u>Road or Portion of Road</u>	<u>Weight Limit</u>
County Road 33-Old Lamy Trail	Gross vehicle weight and gross combination vehicle weight shall not exceed five (5) tons per axle.
County Road 62-Caja del Oro Grant Road	Gross vehicle weight and gross combination vehicle weight shall not exceed five (5) tons per axle.
Caja del Rio Road North of the Entrance to the Caja del Rio Landfill to Las Campanas Drive	Gross vehicle weight and gross combination vehicle weight shall not exceed five (5) tons
County Road 45 -Bonanza Creek Road	Gross vehicle weight and gross combination vehicle weight shall not exceed five (5) tons per axle.

Gross vehicle weight and gross combination vehicle weight limits expressed as five (5) tons per axle are determined by multiplying the number of axles times five (5) tons. For example, the gross combination vehicle weight limit for a combination truck traeker and trailer with a total of 4 axles would be 40,000 pounds.

6. EXCEPTIONS. The weight limits established in Section 5 of this Ordinance shall not apply to:

- A. emergency vehicles;
- B. road machinery engaged in highway construction or maintenance;
- C. implements of husbandry, including farm tractors, temporarily moved upon a highway;
- D. vehicles making pick-ups from or deliveries to or providing services to addresses on a road identified in Section 5 of this Ordinance or addresses on adjacent roads served only by that road, including, but not limited to, solid waste removal services, utility vehicles performing work on utilities located along the roads identified in Section 5 of this Ordinance or adjacent roads served only by that road;
- E. a vehicle traveling to or from an address on a road identified in Section 5 of this Ordinance or an address on an adjacent road served only by that road, which vehicle belongs to a resident or business located at such address and is to be parked or used at such address, to the extent such parking or use is not otherwise prohibited by law or conditions of approval of a land use application or business license; or
- F. a vehicle operated under the terms of a temporary, excessive weight permit issued in accordance with this Ordinance.

7. TEMPORARY, EXCESSIVE WEIGHT PERMITS.

A. General Authority. Permitting officials may, in their discretion, upon application in writing and good cause being shown, issue a special permit in writing authorizing

the applicant to operate or move a vehicle of a weight exceeding the maximum specified in Section 5 of this Ordinance.

B. Length of Permit: Conditions. Except for the movement of manufactured homes, a permit may be granted, in cases of emergency, for the transportation of loads on a certain unit or combination of equipment for a specified period of time not to exceed one year, and the permit shall contain the route to be traversed, the type of load to be transported and any other restrictions or conditions deemed necessary by permitting officials. In every other case, the permit shall be issued for a single trip and may designate the route to be traversed and contain any other restrictions or conditions deemed necessary by the permitting officials. Every permit shall be carried in the vehicle to which it refers and shall be opened for inspection to any peace officer. Violating a condition or term of a temporary, excessive weight permit issued pursuant to this section shall constitute a violation of this Ordinance and shall be subject to the penalties set forth in Section 9. In addition, violating a condition or term of a temporary, excessive weight permit issued pursuant to this section shall constitute grounds for revocation of the temporary, excessive weight permit.

C. General Standards and Conditions. Temporary, excessive weight permits will not be issued unless:

1. there is no reasonable way by reduction or division of the vehicle or equipment to meet the applicable weight limits;
2. the proposed excessive weight trips are not likely to damage the road(s) for which the permit is issued; and
3. the applicant has made satisfactory arrangements to indemnify the County for the cost of repairing any damage caused to the roads by the excessive weight trips.

D. Specific Conditions for the Removal of a Manufactured Home from a Property.

1. If a vehicle for which a permit is issued pursuant to this section is a manufactured home, permitting officials shall furnish the following information to the property tax division of the taxation and revenue department: the date the permit was issued, the location being moved from, the location being moved to, the name of the owner of the manufactured home, and the identification and registration numbers of the manufactured home.

2. A permit shall not be issued pursuant to this section until the owner of the manufactured home or the authorized agent of the owner obtains and presents to permitting officials proof that a certificate has been issued by the County Assessor or County Treasurer showing that either:

a. all property taxes due or to become due on the manufactured home for the current tax year or any past tax years have been paid, except for manufactured homes located on an Indian reservation; or

b. liability for property taxes on the manufactured home does not exist for the current tax year or a past tax year, except for manufactured homes located on an Indian reservation.

8. CONDITIONS PRECEDENT TO EFFECTIVENESS OF RESTRICTIONS.

The weight limit established in Section 5 of this Ordinance for a particular road shall not be effective until the Public Works Department:

A. erects or causes to be erected and maintained signs designating the weight limit and provisions of this Ordinance at each end of that portion of any street affected; and

B. gives notice and a copy of this Ordinance to the nearest officer or employee of the New Mexico Department of Public Safety, Motor Transportation Division authorized to issue special permits and the Santa Fe County Sherriff.

9. PENALTIES AND CITATIONS.

A. Violations of this Ordinance shall be punishable by a fine of three hundred dollars (\$300) per violation, as allowed by NMSA 1978, § 4-37-3.

B. Prosecution of violations of this Ordinance may be commenced by the issuance of a citation charging the violation. Citations may be issued by the County Sheriff and Deputy County Sheriffs.

10. REPEAL OF ORDINANCE NO. 2005-3. Ordinance No. 2005-3 is hereby repealed, since the weight limit imposed by that ordinance is incorporated into this Ordinance.

11. PERIODIC REVIEW OF EFFECTIVENESS OF WEIGHT LIMITS. No less frequently than every three years, the Public Works Department shall periodically review and report to the Board on the effectiveness of the weight limits imposed by Section 5 of this Ordinance at protecting and preserving the asphalt of the roads subject to the weigh limits.

12. SEVERABILITY. If aprovision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance that canbe given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

13. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days after it is recorded in the office of the County Clerk.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY THIS 28th DAY OF APRIL, 2015.

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

By: _____
Robert A. Anaya, Chair

ATTEST:

Geraldine Salazar
County Clerk

APPROVED AS TO FORM:

Gregory S. Shaffer
County Attorney

4.20.15 DRAFT



