

ORDINANCE NO. _____

**AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF RIALTO, CALIFORNIA, ESTABLISHING A
TEMPORARY MORATORIUM TO PROHIBIT TRUCK TRAFFIC
ON AYALA DRIVE BETWEEN THE I-210 FREEWAY AND
BASELINE ROAD WITHIN THE RENAISSANCE SPECIFIC
PLAN OF THE CITY OF RIALTO**

WHEREAS, the City Council observes that inter-city truck traffic on Rialto streets has substantially increased, causing congestion and safety concerns for residents and threatening the economic viability of recent commercial development; and

WHEREAS, the Planning Division and City Council, upon review of the existing truck routes in the General Plan, determined that certain segments previously approved for general truck traffic may no longer be appropriate for such use; and

WHEREAS, inadequate control of truck traffic on local streets causes congestion inconsistent with the best economic interests of the community, decreases the City's ability to regulate traffic in a manner to protect the general public, and may adversely impact the environment, all of which pose a current and immediate threat to public health, safety, and welfare; and

WHEREAS, the City of Rialto determined that the continued use by inter-city trucks on Ayala Drive, south of the I-210 Freeway and north of Baseline Road will result in the aforementioned threats to public health, safety, and/or welfare; and

WHEREAS, City staff, the City Planning Commission and the City Council, each requires a reasonable period of time to study existing truck routes and truck traffic control measures to determine the potential adverse impacts on the environment, traffic, aesthetics, and visual quality of properties within the City, and to make recommendations on appropriate alternative routes within the City; and

WHEREAS, the development of the Renaissance Marketplace and Renaissance East may be impacted as a result of inter-city truck traffic; and

WHEREAS, pursuant to Government Code Section 65858, the City Council may adopt as an urgency measure an interim ordinance prohibiting any uses that may be in conflict with a contemplated

1 general plan, specific plan, or zoning proposal that the legislative body, planning commission or the
2 planning department is considering or studying or intends to study within a reasonable time; and

3 **WHEREAS**, the City Council finds that inter-city truck traffic on designated streets may have
4 adverse impacts on the environment, traffic, aesthetics, and visual quality of surrounding properties and
5 on the economic vitality within the City, and such impacts constitute and pose a current and immediate
6 threat to the public health, safety, or welfare.

7 **NOW, THEREFORE**, the City Council of the City of Rialto hereby ordains as follows:

8 **SECTION 1. Recitals Incorporated.** The City Council finds the recitals contained in this
9 ordinance to be true and correct, relies upon them in passing this ordinance, and incorporates them
10 herein as though set forth in full herein.

11 **SECTION 2. Moratorium on Inter-City Truck Traffic.** The Rialto City Council hereby
12 adopts a moratorium pursuant to California Government Code Section 65858 on the use of Ayala Drive
13 by inter-city commercial vehicles with three or more axles weighing 9,000 pounds or more, within the
14 City of Rialto (“Moratorium”), excepting therefrom local deliveries pursuant to CVC 35703.

15 **SECTION 3. Duration of Ordinance.** This Moratorium is enacted pursuant to the authority
16 conferred upon the City Council of the City of Rialto by Government Code Section 65858, and therefore
17 shall be in full force and effect immediately upon its adoption by a four-fifths (4/5) vote of the City
18 Council. This Moratorium shall continue in effect for forty-five (45) days from the date of its adoption
19 and shall thereafter be of no further force and effect, unless, after notice pursuant to Government Code
20 Section 65090 and a public hearing, the City Council extends the Moratorium for an additional period
21 of time pursuant to Government Code Section 65858.

22 **SECTION 4. Report.** During the period of this Moratorium, and any extension thereof, the
23 City Administrator or his designees shall: (1) review and consider options for the regulation of Inter-
24 City and (2) shall issue a written report describing the measures which the City has taken to address the
25 conditions which led to the adoption of this ordinance with the City Council ten (10) days prior the
26 expiration of this Moratorium, or any extension thereof, and such report shall be made available to the
27 public.
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1 **SECTION 5. Enforcement.** The City of Rialto may enforce any provision of this Ordinance
2 by mandamus, injunction, or any other appropriate civil remedy in any court of competent jurisdiction.

3 **SECTION 6.** The City Council finds that this ordinance is not subject to the California
4 Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Sections 15061(b)(3) because it
5 can be seen with certainty that it will not have a significant effect or physical change to the environment.

6 **SECTION 7.** This Interim Ordinance is enacted pursuant to the authority conferred upon the
7 City Council of the City of Rialto by Government Code Sections 36937 and 65858, and shall be in full
8 force and effect immediately upon its adoption by a four-fifths (4/5) vote of the City Council as if and
9 to the same extent that such ordinance had been adopted pursuant to each of the individual sections set
10 forth hereinabove.

11 **SECTION 8. Severability.** Every section, provision, or part of this ordinance is declared
12 severable from every other section, provision, or part of this ordinance. If any section, provision, or
13 part of this ordinance is adjudged to be invalid by a court of competent jurisdiction, such judgment shall
14 not invalidate any other section, provision, or part of this ordinance.

15 **SECTION 9. Effective Date.** This Interim Ordinance shall take effect immediately and shall
16 be of no further force and effect forty-five (45) days thereafter unless the City Council extends such
17 ordinance following a noticed public hearing.

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20 **PASSED, APPROVED AND ADOPTED** this 12th day of June, 2018.

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Deborah Robertson, Mayor

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27 ATTEST:
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Barbara McGee, City Clerk

APPROVED AS TO FORM:

Fred Galante, Esq., City Attorney
Aleshire and Wynder

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