

ORDINANCE NO. 21-2016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AMENDING ELK GROVE MUNICIPAL CODE CHAPTER 10.48 SPEED ZONES TO ESTABLISH THE SPEED LIMIT ON FOUR WINDS DRIVE FROM ELK GROVE BOULEVARD TO BABSON DRIVE

WHEREAS, with certain exceptions for prima facie speed limits for certain roadways, the California Vehicle Code (CVC) requires speed limits to be set by ordinance on the basis of an Engineering and Traffic Survey; and

WHEREAS, a new Engineering and Traffic Survey has been performed for Four Winds Drive; and

WHEREAS, new speed limits must be set and posted in conformance with a valid Engineering and Traffic Survey.

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

Section 1: Purpose and Authority

The purpose of this Ordinance is to add to the Elk Grove Municipal Code Chapter 10.48 Speed Zones to establish a speed limit on Four Winds Drive.

Section 2: Findings

On September 14, 2016, the City Council of the City of Elk Grove reviewed and considered the engineering and traffic survey and related information, on file with the City's Department of Public Works, City Traffic Engineer, and incorporated herein by reference.

Based on the review of the Survey, the City Council finds that the most appropriate speed limit to facilitate the orderly movement of traffic on Four Winds Drive is 30 MPH.

Section 3: Declaration of Speed Limits

The City Council hereby declares that the speed limit be set in accordance with the findings and recommendations provided in Section 2 above.

Section 4: Direction to City Traffic Engineer

On or after the effective date of this ordinance, the City Engineer is directed to clearly post, or cause to be posted, speed limit signs effectuating Section 2, above, to give notice that this ordinance is in effect.

Section 5: Amendment to Elk Grove Municipal Code Chapter 10.48.020(B)

Section 10.48.020(B) of the Elk Grove Municipal Code shall be amended to read as follows:

10.48.020 Speed limits

...

B. A speed limit of thirty miles per hour (30 mph) shall apply to the following streets:

1. Auberry Drive between Geneva Pointe Drive and Power Inn Road;
2. Backer Ranch Road between Bruceville Road and Elk Grove Boulevard;
3. Bellaterra Drive between the west intersection with Whitelock Parkway and the east intersection with Whitelock Parkway;
4. Bilby Road between the City limits and Willard Parkway;
5. Coop Drive between Franklin High Road and Bilby Road;
6. Corfu Drive between Atlantis Drive and Excelsior Road;
7. Cresleigh Parkway/Alesandria Drive between Elk Grove Boulevard and Bellaterra Drive;
8. East Park Drive between Elk Grove Boulevard and West End Drive;
9. Fire Poppy Drive between Elk Grove Boulevard and Bellaterra Drive;
10. Four Winds Drive between Elk Grove Boulevard and Babson Drive;
11. Franklin High Road between Whitelock Parkway West and Whitelock Parkway East;
12. Laguna Park Drive between Laguna Boulevard East and Laguna Boulevard West;
13. Machado Ranch Drive between Bruceville Road and Franklin High Road;
14. Pleasant Grove School Road between Bader Road and Grant Line Road;
15. Power Inn Road between Sheldon Road and Geneva Pointe Road;
16. Stonebrook Drive between East Park Drive and Bond Road;
17. Terrazzo Drive between Bruceville Road and Bellaterra Drive;
18. Trenholm Drive between Laguna Boulevard and Soaring Oaks Drive.

...

Section 6: No Mandatory Duty of Care.

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 7: Severability.

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.


Section 8: Savings Clause

The provisions of this ordinance shall not affect or impair an act done or right vested or approved or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act done, or right vested or accrued, or proceeding, suit or prosecution shall remain in full force and affect to all intents and purposes as if such ordinance or part thereof so repealed had remained in force. No offense committed and no liability, penalty or forfeiture, either civilly or criminally incurred prior to the time when any such ordinance or part thereof shall be repealed or altered by said Code shall be discharged or affected by such repeal or alteration; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceeded with in all respects as if such prior ordinance or part thereof had not been repealed or altered.

Section 9: Effective Date and Publication

This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within fifteen (15) days after its passage, a summary of the ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to GC 36933(c)(1).

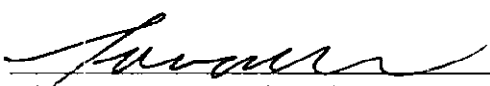
ORDINANCE: 21-2016
INTRODUCED: September 14, 2016
ADOPTED: September 28, 2016
EFFECTIVE: October 28, 2016



GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


JONATHAN P. HOBBS,
CITY ATTORNEY

Signed: October 17, 2016


**CERTIFICATION
ELK GROVE CITY COUNCIL ORDINANCE NO. 21-2016**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing ordinance, published and posted in compliance with State law, was duly introduced on September 14, 2016 and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on September 28, 2016 by the following vote:

AYES :	COUNCILMEMBERS:	<i>Davis, Ly, Detrick, Hume, Suen</i>
NOES:	COUNCILMEMBERS:	<i>None</i>
ABSTAIN:	COUNCILMEMBERS:	<i>None</i>
ABSENT:	COUNCILMEMBERS:	<i>None</i>

A summary of the ordinance was published pursuant to GC 36933(c) (1).


Jason Lindgren, City Clerk
City of Elk Grove, California