

## **ORDINANCE NO. 12-2003**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE ESTABLISHING THE SPEED LIMIT ON BRUCEVILLE ROAD BETWEEN ELK GROVE BOULEVARD AND BILBY ROAD TO 45 MPH**

The City Council of the City of Elk Grove, California, does ordain as follows:

#### **Section 1: Findings**

On April 16, 2003, the City Council of the City of Elk Grove reviewed and considered the engineering and traffic survey dated March 18, 2003 ("Survey") on Bruceville Road and related information.

Based upon the review of the Survey and related information, the City Council finds the prevailing or 85<sup>th</sup> percentile speed of the vehicles using Bruceville Road between Elk Grove Boulevard and Bilby Road is 50 mph. The City Council also finds the speed reduction as necessary because it lacks a sidewalk, street lighting, and is a main walking path for students going to school. Based on this review of the Survey, the City Council finds that the most appropriate speed limit to facilitate the orderly movement of traffic that is reasonable and safe for the above-listed street us as set forth in Section 2.

#### **Section 2: Declaration of speed limits**

Based on findings set forth in Section 1, above, the City Council hereby declares that the speed limit on Bruceville Road between Elk Grove Boulevard and Bilby Road shall be forty five (45) mile per hour.

#### **Section 3: Direction to City Traffic Engineer**

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

#### **Section 4: 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 5: Severability**

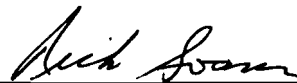
If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or

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.

**Section 6: Effective Date**

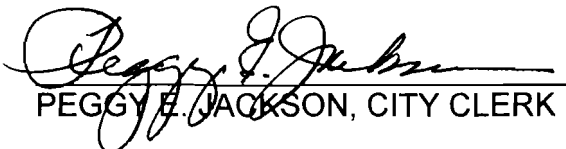
This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within 15 days after its passage, a summary of the ordinance may be published at least 15 days after its passage, a summary of the ordinance may be published at least five days 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).

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove on this 21<sup>st</sup> day of May 2003.




RICK SOARES, MAYOR of the  
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,  
CITY ATTORNEY

**Effective Date June 20, 2003**

**AYES:** Soares, Scherman, Briggs, Cooper, Leary  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None