



# **ORDINANCE No.**

## **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

### **ORDINANCE ADDING SUBSECTION 58 OF SECTION G-IV 3.A.5 OF ARTICLE 3.A OF CHAPTER IV OF THE NEVADA COUNTY GENERAL CODE PERTAINING TO SPEED LIMITS ON ROUGH AND READY HIGHWAY BETWEEN REX RESERVOIR ROAD AND VALLEY DRIVE, AND ADDING SUBSECTION 23 OF SECTION G-IV 3.A.7 OF ARTICLE 3.A OF CHAPTER IV OF THE NEVADA COUNTY GENERAL CODE PERTAINING TO SPEED LIMITS ON ROUGH AND READY HIGHWAY BETWEEN VALLEY DRIVE AND STATE ROUTE 20 – DISTRICT IV**

THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

#### SECTION I:

That the establishment of a 35 mile per hour prima facie speed limit on Rough and Ready Highway from Rex Reservoir Road to Valley Drive, and a 45 mile per hour speed limit on Rough and Ready Highway from Valley Drive to State Route 20, be approved based on the following findings A-D:

A. That the California Manual of Uniform Traffic Control Devices Section 2B.13.01 authorizes local agencies to establish speed limits based on the findings of an engineering and traffic survey; and

B. That the County's engineering and traffic survey is in compliance with California Vehicle Code Section 627; and

C. That the County conducted an engineering and traffic study in April 2018 that found that the segment of Rough and Ready Highway from Rex Reservoir Road to Valley Drive had an 85<sup>th</sup> percentile speed limit of 37 miles per hour, which is rounded to the nearest 5 mile per hour increment to establish the speed limit of 35 miles per hour; and

D. That the County conducted an engineering and traffic study in April 2018 that found that the segment of Rough and Ready Highway from Valley Drive to State Route 20 had an 85<sup>th</sup> percentile speed limit of 47 miles per hour, which is rounded to the nearest 5 mile per hour increment to establish the speed limit of 45 miles per hour; and

E. That establishing the speed limit at the nearest rounded 85<sup>th</sup> percentile of free flowing traffic speeds facilitates the orderly movement of vehicular traffic and is reasonable and safe; and

F. That the work will be funded with local road maintenance funds for Fiscal Year 2017/18.

#### SECTION II:

Subsection 58 is hereby added to Section G-IV 3.A.5, of Article 3.A of Chapter IV of the Nevada County General Code to read as follows:

“Sec. G-IV 3.A.5 Thirty Five Miles Per Hour Prima Facie Speed Limit Established; Signs to be Posted

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58. Rough and Ready Highway from Rex Reservoir Road to Valley Drive.”

### SECTION III:

Subsection 23 is hereby added to Section G-IV 3.A.7, of Article 3.A of Chapter IV of the Nevada County General read as follows:

“Sec. G-IV 3.A.7 Forty five Miles Per Hour Prima Facie Speed Limit Established; Signs to be Posted

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23. Rough and Ready Highway from Valley Drive to State Route 20.”

### SECTION IV:

If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

### SECTION V:

This Ordinance shall take effect and be in full force thirty (30) days from and after introduction and adoption, and it shall become operative on the \_\_\_\_\_ day of \_\_\_\_\_, 2018, and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the Supervisors voting for and against same in the Union, a newspaper of general circulation printed and published in the County of Nevada.