



# ORDINANCE NO. \_\_\_\_\_

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

**AN ORDINANCE REPEALING SECTION 16.03.030.4, AMENDING SECTIONS 16.03.070.1 AND 16.03.050.3, AND ADDING SECTIONS 16.03.040.15, 16.03.080.3, 16.03.030.150, AND 16.03.030.151 OF THE NEVADA COUNTY CODE PERTAINING TO SPEED LIMITS ON CEMENT HILL ROAD, MOONEY FLAT ROAD, AND DONNER PASS ROAD**

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

### SECTION I:

That the change in the prima facie speed limit on Cement Hill Road from 0.1 miles northwest of Highway 49 to West Piper Lane from 25 miles per hour to 30 miles per hour, Mooney Flat Road from Highway 20 to Englebright Dam Road from 45 miles per hour to 50 miles per hour, Donner Pass Road from Interstate 80 Soda Springs Exit to Donner Drive from 35 miles per hour to 25 miles per hour be approved based on the following findings A-D:

- A. That California Vehicle Code sections 22357 and 22358 authorize local agencies to establish speed limits based on the findings of an engineering and traffic survey; and
- B. That the County conducted engineering and traffic surveys on Cement Hill Road, Mooney Flat Road, and Donner Pass Road, that determined the 85<sup>th</sup> percentile speed, and recommends speed limits as listed below:

Road Section	Current Posted Speed	85 <sup>th</sup> Percentile Speed	Recommended Speed
Cement Hill Road from 0.1 Mile Northwest of Highway 49 to West Piper Lane	25	37	30
Mooney Flat Road from Highway 20 to Englebright Dam Road	45	55	50
Mooney Flat Road from Englebright Dam Road to Marina Drive	45	47	45
Donner Pass Road from Interstate 80 Soda Springs Exit to Soda Springs Road	35	36	25
Donner Pass Road from Soda Springs Road to Donner Drive	35	42	25
Donner Pass Road from Donner Drive to 2.43 Miles East of Interstate 80	35	42	35

- C. That establishing the speed limit at the nearest rounded 85<sup>th</sup> percentile of free-flowing traffic speeds or up to 12.5 mile per hour below facilitates the orderly movement of vehicular traffic and is reasonable and safe; and

D. That the work will be funded with local road maintenance funds for Fiscal Year 2023/24.

SECTION II:

Section 16.03.030.4 of the Nevada County Code is hereby amended to repeal:

“4. Cement Hill Road from 0.1 mile northwest of Highway 49 to 0.5 mile northwest of Highway 49.”

SECTION III:

Section 16.03.070.1 of the Nevada County Code is hereby amended to read as follows:

“1. Mooney Flat Road from Englebright Dam Road to Marina Drive.”

Section 16.03.050.3 of the Nevada County Code is hereby amended to read as follows:

“3. Donner Pass Road from Donner Drive to 2.43 Miles East of Interstate 80 Soda Springs Exit.”

SECTION IV:

Section 16.03.040.15 of the Nevada County Code is hereby added to read as follows:

“15. Cement Hill Road from 0.1 mile northwest of Highway 49 to West Piper Lane.”

Section 16.03.080.3 of the Nevada County Code is hereby added to read as follows:

“3. Mooney Flat Road from Highway 20 to Englebright Dam Road.”

Section 16.03.030.150 of the Nevada County Code is hereby added to read as follows:

“151. Donner Pass Road from Interstate 80 Soda Springs Exit to Soda Springs Road.”

Section 16.03.030.151 of the Nevada County Code is hereby added to read as follows:

“152. Donner Pass Road from Soda Springs Road to Donner Drive.”

SECTION V:

The Codes of the County of Nevada were fully revised, reordered and renumbered in April 2024 by the Ordinance No 2535. Prior revision, in 2006 by Ordinance No.2192, created a separation into four separate codes; Administrative; General; Land Use and Sanitation District. The Administrative, General and Land Use Codes have been rejoined and significant changes in reference numbering and order have occurred.

Sections of the Nevada County Codes modified by this Ordinance had a prior citation of:

2024	2006
16.03.030.4	G-IV 3.A.3.158
16.03.070.1	G-IV 3.A.7.1
16.03.151.3	G-IV 3.A.5.3
16.03.040.15	New
16.03.080.3	New
16.03.030.150	New
16.03.030.151	New

SECTION VI:

If any section, sentence, clause, or phrase 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, sentence, clauses, or phrases be declared invalid or unconstitutional.

SECTION VII:

This Ordinance shall take effect and be in force at the expiration of thirty (30) days from and after its passage, and it shall become operative on the 14<sup>th</sup> day of June, 2024 and before the expiration of (15) days after its passage it shall be published once, with the names of the Supervisors voting for and against same in the Grass Valley Union and Sierra Sun, newspapers of general circulation printed and published in the County of Nevada.