



ORDINANCE No.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

ORDINANCE ADDING SUBSECTION 202 TO SECTION G-IV 3.A.3, AND ADDING SUBSECTION 18 TO SECTION G-IV 3.A.4 OF ARTICLE 3.A OF CHAPTER IV OF THE NEVADA COUNTY GENERAL CODE PERTAINING TO SPEED LIMITS ON MOUNT OLIVE ROAD

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

SECTION I:

That the establishment of a 25 mile per hour prima facie speed limit on Mount Olive Road from Miranda Drive to Rolphholm Road, and a 30 mile per hour prima facie speed limit on Mount Olive Road from Highway 174 to Miranda Drive, be approved based on the following findings A-G:

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;

B. That establishing the speed limit near the 85th percentile of free flowing traffic speeds facilitates the orderly movement of vehicular traffic and is reasonable and safe;

C. That the California Manual of Uniform Traffic Control Devices Section 2B.13.12a allows local agencies to reduce the speed limit by 5 miles per hour from the nearest 5 mile-per-hour increment of the 85th percentile speed based on the findings of an engineering and traffic survey and in compliance with California Vehicle Code sections 627 and 22358.5;

D. That the County's engineering and traffic survey is in compliance with California Vehicle Code sections 627 and 22358.5 in that it contains all the required elements of an engineering and traffic survey; and

E. That the County conducted an engineering and traffic study in July 2017 that found that the segment of Mount Olive Road from Miranda Drive to Rolphholm Road had an 85th percentile speed limit of 30 miles per hour, which may be rounded down to the nearest 5 mile-per-hour increment of the 85th percentile speed, to 25 miles per hour;

F. That the County conducted an engineering and traffic study in July 2017 that found that the segment of Mount Olive Road from Highway 174 to Miranda Drive had an 85th percentile speed of 35 miles per hour, which may be rounded down to the nearest 5 mile-per-hour increment of the 85th percentile speed, to 30 miles per hour;

G. That the work to install new speed limit signs will be funded with local road maintenance funds for Fiscal Year 2017/18.

SECTION II:

Subsection 202 of Section G-IV 3.A.3, of Article 3.A of Chapter IV of the Nevada County General Code is hereby added as follows:

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

. . .

202. Mount Olive Road from Highway 174 to Miranda Drive.

SECTION III:

Subsection 18 of Section G-IV 3.A.4, of Article 3.A of Chapter IV of the Nevada County General Code is hereby added as follows:

“Sec. G-IV 3.A.4 Thirty Miles Per Hour Prima Facie Speed Limit Established

. . .

18. Mount Olive Road from Miranda Drive to Rolphholm Road.

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 _____, 2017, 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.