

ORDINANCE NO. 13-2005

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE ESTABLISHING THE SPEED LIMIT ON VARIOUS ROADWAY SEGMENTS

THE CITY COUNCIL OF THE CITY OF ELK GROVE, CALIFORNIA, does ordain as follows:

Section 1: Findings

On March 23, 2005, the City Council of the City of Elk Grove reviewed and considered the engineering and traffic surveys and related information.

Based upon the review of the Survey and related information, the City Council finds the prevailing or 85th percentile speeds of the vehicles are:

Segment	85 th Percentile Speed
Bellaterra Drive-Poppy Ridge Rd to Poppy Ridge Rd	38 mph
Bilby Road-UPRR/City limits to Willard Pkwy	39 mph
Cresleigh Pkwy/Allesandria Dr-Elk Grove Bl to Bellaterra Dr	39 mph
Fire Poppy Drive-Elk Grove Bl to Bellaterra Dr	39 mph
Pleasant Grove School Road-Bader Rd to Grant Line Rd	40 mph
Sheldon Road-Elk Grove-Florin Rd to Grant Line Rd	52 mph

Based on the review of the Surveys, 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 streets is 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 the following speed limits:

- Bellaterra Drive between Poppy Ridge Road and Poppy Ridge Road shall be thirty-five (35) miles per hour
- Bilby Road between the City limits and Willard Parkway shall be thirty-five (35) miles per hour
- Cresleigh Parkway/Allesandria Drive between Elk Grove Boulevard to Bellaterra Drive shall be thirty-five (35) miles per hour
- Fire Poppy Drive between Elk Grove Boulevard and Bellaterra Drive shall be thirty-five (35) miles per hour

- Pleasant Grove School Road between Bader Road and Grant Line Road shall be thirty-five (35) miles per hour
- Sheldon Road between Elk Grove-Florin Road and Grant Line Road shall be forty-five (45) miles 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

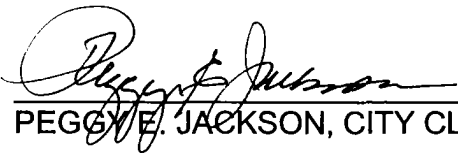
This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within 15 days after its passage, a summary of the ordinance may be published at least 15 days after its passage, a summary of the ordinance may be published at least five days 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
27th day of April 2005.



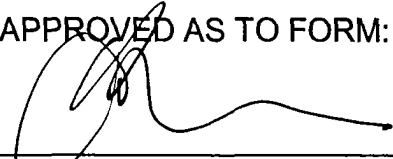
DANIEL BRIGGS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

Effective Date: May 27, 2005

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