



# COUNTY OF HUMBOLDT

For the meeting of: 10/27/2020

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File #: 20-1335

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**To:** Board of Supervisors

**From:** Public Works

**Agenda Section:** Departmental

**SUBJECT:**

Introduction of an Ordinance Adding Chapter 3, Relating to Private Roads, to Division 2 of Title IV of the Humboldt County Code

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Introduce the attached ordinance by title and waive the first reading;
2. Set the attached ordinance for adoption on Nov. 3, 2020, or at least one (1) week away from the date of the Board of Supervisors meeting at which the ordinance is first introduced;
3. Direct the Clerk of the Board of Supervisors to publish the pre-adoption summary of the attached ordinance and to post a certified copy of the full text of the ordinance in the office of the Clerk of the Board of Supervisors at least five (5) days prior to the Board of Supervisors meeting at which the ordinance will be adopted [Government Code Section 25124(b)(1)];
4. Direct the Clerk of the Board of Supervisors, within 15 days after adoption of the attached ordinance, to publish a post-adoption summary of the ordinance with the names of the Supervisors voting for and against the ordinance, and to post in the office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance and amendments along with the names of those Supervisors voting for and against the ordinance [Government Code Section 25124(b)(1)]; and
5. Direct Department of Public Works staff to file the attached Notice of Exemption with the Humboldt County Clerk in accordance with the California Environmental Quality Act.

**SOURCE OF FUNDING:**

General Fund (1100)

**DISCUSSION:**

Residents living along non-county-maintained roads (sometimes referred to as “private roads”) do not enjoy the benefit of speed laws being enforced by law enforcement. California Vehicle Code has a procedure that allows the county to adopt an ordinance which could allow speed laws to be enforced on non-county-maintained roads. Such an ordinance could help facilitate Road Maintenance Associations and Homeowner Associations in establishing speed limits on non-county-maintained

roads.

The Public Works Department is proposing a framework ordinance, that if adopted, will allow the Board of Supervisors, in the future, to adopt resolutions after a public hearing that establish speed limits on non-county-maintained roads when requested by the public. Approval of this ordinance and any future resolution by the Board of Supervisors does not constitute a commitment by the California Highway Patrol or the Humboldt County Sheriff's Department to provide enforcement patrols on a regular basis.

If such ordinance is adopted by the county, it shall be the responsibility of the Road Maintenance Association or Homeowners Association to supply the Public Works Department with all the necessary materials to properly establish a speed limit pursuant to California Vehicle Code.

The proposed ordinance is modeled after Santa Cruz County Code Section 9.24.

FINANCIAL IMPACT:

Adoption of the framework ordinance has unknown impacts associated with staff time to prepare resolutions. After Public Works processes several resolutions, Public Works will be able to recommend a fee for the County Fee Schedule to recover the cost of staff time in preparing a resolution. Installation of all signs will be done by others. Enforcement of the speed limit is the responsibility of the California Highway Patrol.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by enforcing laws and regulations to protect residents.

OTHER AGENCY INVOLVEMENT:

None.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Board discretion.

ATTACHMENTS:

1. Proposed Ordinance Adding Chapter 3, Relating to Private Roads, to Division 2 of Title IV of the Humboldt County Code
2. Pre-Adoption Summary of the Proposed Ordinance
3. Post-Adoption Summary of the Proposed Ordinance
4. Notice of Exemption under California Environmental Quality Act

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: N/A