

C-11

Hayes, Kathy

From: Jeff and Marisa St John <upperredwoodcreek@gmail.com>
Sent: Monday, November 2, 2020 7:31 AM
To: COB
Cc: Madrone, Steve
Subject: Public Comment for 20-1336 Draft Private Roads Ordinance

Hello, Supervisors.

Is this ordinance necessary? How will the county enforce it?

1. It seems to apply to a limited number of private roads. According to the definition "... shall refer only to those privately owned roads which are specified in a Resolution adopted by the Board of Supervisors."

2. It appears that these are state laws (some cited and some not). Not cited in the draft are:

2.1 State civil code 845

(http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CIV§ionNum=845) that discusses private right-of-way easements and who bears the costs.

2.2 Following too closely is state vehicle code 21703

(http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=VEH§ionNum=21703.&article=2.&highlight=true&keyword=closely)

2.3 Reckless driving is also state vehicle code 23104

http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=VEH§ionNum=23104.&article=1.&highlight=true&keyword=reckless

3. Section 423-9 could be covered by the county's subdivision ordinance. That law and the overall cannabis ordinance could also include a requirement ("shall") for a road maintenance association (county's medical and coastal marijuana laws already do).

4. A search of over half of California's counties did not find anything like this, except for Santa Cruz where this draft was lifted.

5. This draft is a very short list of what should and shouldn't be happening on a private road.

Thank you for considering *not* approving this ordinance.

Sincerely,
Marisa St John
District 5