



Legislation Text

File #: 23-0696, **Version:** 1

TO: Board of Supervisors
FROM: Sheryl Bratton, County Counsel
REPORT BY: Thomas Zeleny, Chief Deputy County Counsel
SUBJECT: Adoption of an Ordinance Allowing Speed Limits to be Established by Resolution.

RECOMMENDATION

County Counsel requests adoption of an Ordinance amending Chapter 10.04 of the Napa County Code to allow the Board of Supervisors to establish speed limits by resolution.

EXECUTIVE SUMMARY

On April 18, 2023, the Board of Supervisors introduced an Ordinance amending Chapter 10.04 of the Napa County Code to establish speed limits by resolution of the Board of Supervisors. The Board unanimously passed a motion of intent to adopt the proposed ordinance. This consent calendar item requests that the Board take final action adopting the ordinance.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact?	No
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	Will allow all speed limits to be passed by resolution of the Board, consistent with current practice.
Is the general fund affected?	No
Future fiscal impact:	None
Consequences if not approved:	Some speed limits will remain in the Napa County Code, while other do not, having been approved by resolution.
County Strategic Plan pillar addressed:	Effective and Open Government

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Adoption of the Ordinance is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5), as an organizational or administrative activity that will not result in direct or indirect physical changes in the environment, and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Local agencies may establish speed limits by ordinance or resolution. Napa County has done both, with some speed limits appearing in Chapter 10.04 of the Napa County Code while others do not, having been approved by resolution. The purpose of the proposed ordinance is to remove the remaining speed limits from Chapter 10.04, allowing them to be re-adopted by resolution. In its place, the proposed ordinance will insert language reflecting the Vehicle Code's grant of authority to local agencies to establish speed limits by resolution, based on engineering and traffic surveys unless otherwise authorized by the Vehicle Code. The speed limits being removed by Chapter 10.04 will be readopted by the resolution approved by the Board on April 18, 2023, becoming effective on the effective date of this ordinance.

Board of Supervisors Action

The Board of Supervisors previously considered this proposed ordinance at the Board meeting of April 18, 2023. After discussion, the Board unanimously passed a motion of intent to adopt the ordinance. The ordinance has now returned to the Board for formal adoption.

Attached for reference is the final version of the Ordinance.

Recommendation

Staff and County Counsel recommend adoption of the Ordinance.