ORDINANCE NO. 1438

AN ORDINANCE REPUBLISHING CHAPTER 17
OF THE SOLANO COUNTY CODE ENTITLED
MOTOR VEHICLES AND TRAFFIC

The Board of Supervisors of the County of Solano, State of California, does ordain as follows:

SECTION I.

Chapter 17 of the Solano County Code, entitled "Motor Vehicles and Traffic," is hereby republished to read as follows:

CHAPTER 17

MOTOR VEHICLES AND TRAFFIC.¹

ARTICLE I. TRAFFIC ORDERS AND REGULATIONS.

§ 17-10. Purpose of chapter.
§ 17-11. Delegation of powers to director of department of transportation.
§ 17-12. Traffic orders--Authority of director of transportation.
§ 17-13. Same--Traffic and engineering survey required; standard generally.
§ 17-14. Same--Adoption by resolution of board of supervisors; placement of signs and markings.
§ 17-15. Resolutions adopting traffic orders.
§ 17-16. Penalties.
§ 17-17. Non-regulatory traffic control devices and striping of any kind.
§ 17-18. Enforcement.

ARTICLE II. ASSEMBLIES OR PARADES ON COUNTY ROADS OR PROPERTY.

§ 17-20. Assemblies or parades.
§ 17-21. Permit required.
§ 17-22. Permit--Application.
§ 17-23. Permit--Contents.

¹ For state law authorizing county to regulate traffic, etc., see Vehicle Code § 21100 et. seq. See V. C. § 21 as to uniformity of state traffic laws. As to marking of vehicle used for collection and transportation of refuse and garbage, see § 23-308. As to roads and streets, see Ch. 24.
§ 17-24. Permit--Insurance requirements.
§ 17-25. Permit--Other reviewing agencies.
§ 17-26. Permit--Issuance conditions.
§ 17-27. Permit--Action on application.
§ 17-28. Permit--Denial of application--Alternate permit.
§ 17-29. Permit--Exemptions.
§ 17-31. Other public events on public or private property.

ARTICLE I. TRAFFIC ORDERS AND REGULATIONS.

Sec. 17-10. Purpose of chapter.
The purposes of this chapter are to:
(a) establish a procedure for the adoption of traffic
regulations applying to particular streets, highways, intersections
and certain grounds and private roads.
(b) establish a procedure with respect to the use of
non-regulatory traffic control devices and both regulating and non-
regulating striping and pavement markings. (Ord. No. 539, § 1.)

Sec. 17-11. Delegation of power to director of department of transportation.
The board of supervisors delegates those statutory powers
granted to the position of county road commissioner to the director
of the county department of transportation, pursuant to provisions
of Streets and Highways Code § 2006.1.

Sec. 17-12. Traffic orders--Authority of director of department of transportation.
The director of the department of transportation of the county may make traffic orders establishing any of the following regulations:
(a) Regulating traffic by means of semaphores or other
official traffic-control devices.
(b) Designating particular highways as one-way highways
and requiring that all vehicles thereon be moved in one specified
direction.
(c) Closing any highway or a portion of it, when in the
opinion of the director of the department of transportation the
highway is no longer needed or cannot safely be used for vehicular
traffic.
(d) Designating any highways as a through highway and
requiring that all vehicles stop before entering or crossing the
highway.
(e) Designating any intersection as a stop intersection
and requiring all vehicles to stop at one or more entrances to the
intersections.
(f) Prohibiting the use of particular highways by certain vehicles, except as otherwise provided by the public utilities commission pursuant to article 2, chapter 5, part 1, division 1, of the Public Utilities Code of this state.

No ordinance which is adopted pursuant to this provision hereafter shall apply to any state highway which is included in the National System of Interstate and Defense Highways, except an ordinance which has been approved by the California Transportation Commission by a four-fifths vote.

(g) Temporarily close a portion of any street for celebrations, parades, local special events, and other purposes, when, in the opinion of the director of the department of transportation, the closing is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closure.

(h) Closing particular streets during regular school hours for the purpose of conducting automobile driver training programs in the secondary schools and colleges in the county.

(i) Closing to vehicular traffic that portion of any street or highway crossing or dividing any school grounds when in the opinion of the road commissioner the closing is necessary for the protection of persons attending the school or using the school grounds. The closing to vehicular traffic may be limited to the hours and days that the road commissioner may specify.

(j) Prohibiting entry to, or exit from, or both from any street by means of islands, curbs, traffic barriers, or other road way design features to implement the circulation element of a general plan adopted pursuant to Government Code § 65350, consistent with public health and safety of the citizens of the county.

(k) Establishing crosswalks between intersections.

(l) Directing that pedestrians shall not cross in a crosswalk indicated at an intersection.

(m) Regulating vehicular traffic on private owned and maintained roads or ways within the boundaries of a privately owned airport, when the roads or ways are expressly open to the general public for purposes of vehicular traffic.

(n) Regulating vehicular and pedestrian traffic in subways, tubes and tunnels or on bridges or viaducts.

(o) Requiring that all vehicles stop before entering or crossing the tracks at any highway railroad grade crossing.

(p) Regulating vehicular traffic on privately owned and maintained roads or ways within the boundaries of any housing project or within the site of any housing owned or operated by a housing authority created under and by virtue of the Housing Authorities Law, section 34200 et seq., of the Health and Safety Code of the state, on privately owned and maintained roads or ways within areas which would be a residence district if the road or way were a public highway, or with the consent of the owner, on publicly owned and maintained roads and ways within areas not owned by this county.

(q) Prohibiting the making of any turning movement by any vehicle at any intersection or between any designated intersections.
(r) Prohibiting the parking or standing of vehicles on certain streets or highways, or portions thereof, during all or certain hours of the day.

(s) Declaring a prima facie speed limit of thirty, thirty-five, forty, forty-five, fifty, or a maximum speed limit of fifty-five on any street other than a state highway otherwise subject to a prima facie speed limit of twenty-five miles per hour.

(t) Declaring a prima facie speed limit of fifty, forty-five, forty, thirty-five, thirty, or twenty-five miles per hour on any portion of any street other than a state highway where the street is subject to a speed limit of fifty-five miles per hour.

(u) Regulating the installation and operation of mechanical devices for the control of vehicular and pedestrian traffic.

(v) Establishing weight limitations for vehicles traveling over county roads and bridges.

(w) Regulating public grounds of county property as provided for in section 21113, State Vehicle Code.

(x) Find and declare, after a public hearing, that there is a privately owned and maintained road, within the county, as described in an ordinance or resolution, that is generally held open for use by the public for vehicular travel and which so connect with highways that the public cannot determine that the road is not highway, and therefore the provisions of the Vehicle Code should apply to that private road.

(y) Find and declare, after a public hearing, that there is a privately owned and maintained road, within the county, as described in an ordinance or resolution, that is not generally held open for use of the public for purposes of vehicular travel but, by reason of its proximity to or connection with highways, the interests of any residents residing along the road and the motoring public will best be served by application of the provisions of the Vehicle Code to the road.

(z) Any other traffic regulations not mentioned in subsections (a) through (y) above, but contained in the latest amendments to the California Vehicle Code. (Ord. No. 539, § 2; Ord. No. 760, § 2.)


Every traffic order made under section 17-11 shall be based on a traffic and engineering survey and shall conform with accepted principles and practices of traffic engineering. (Ord. No. 539, § 3.)

Sec. 17-14. Same--Adoption by resolution of board of supervisors; placement of signs and markings.

No traffic order shall be effective until:

(a) It has been adopted by resolution of the board of supervisors; and
(b) Appropriate signs or markings, meeting the requirements of the Vehicle Code of the state, are placed to give notice of the regulation to the traveling public unless the regulation itself constitutes notice. (Ord. No. 539, § 4.)

Sec. 17-15. Resolutions adopting traffic orders.
(a) Resolutions adopting traffic orders shall be numbered consecutively, in a numerical series separate from that applied to other resolutions of the board of supervisors.
(b) A copy of each resolution adopting a traffic order shall be filed with the director of the department of transportation. (Ord. No. 539, § 5.)

Sec. 17-16. Penalties.
A violation of traffic orders adopted under this chapter shall constitute an offense and on conviction thereof, shall be punished as a misdemeanor or an infraction as provided in section 42001 of the State Vehicle Code. (Ord. No. 539, § 6; Ord. No. 760, § 2.)

Sec. 17-17. Non-regulatory traffic control devices and striping of any kind.
Based on sound traffic engineering principles and consistent with the latest traffic manual of the State of California and the latest manual on Uniform Traffic Control Devices for Streets and Highways published by the U. S. Department of Transportation, Federal Highway Administration, the county shall place on county roads appropriate warning signs, construction signs, guide signs, pavement delineations and markings, flashing beacons, safety lighting and non-regulatory traffic control devices without requiring a traffic order therefor.

Sec. 17-18. Enforcement.
Enforcement of this chapter shall be performed by the Commissioner of the California Highway Patrol, except on such private roads and property where the California Highway Patrol by law is prohibited from providing traffic law enforcement. (Ord. No. 760, § 3.)

FORMER ARTICLE II
PERTAINING TO ABANDONED AND WRECKED VEHICLES, NOW IN CHAPTER 6.5

ARTICLE II. ASSEMBLIES OR PARADES ON COUNTY ROADS OR PROPERTY

Sec. 17-20. Assemblies or parades.
This article shall be applicable to assemblies, parades, footraces, bicycle touring and similar events involving sponsored,
advertised or published activities hereinafter referred to as an "event" occurring on Solano County roads other than sidewalks or on Solano County Property which involve more than twenty-five participants. Ord. No. 1231, § 2.)

Sec. 17-21. Permit required.
It is unlawful for any person, firm, partnership, company, corporation, association, society, or organization of any kind, to conduct an event as described in section 17-20 above, along or upon any county maintained road in the unincorporated area of the county or on county public property, without first obtaining a permit from the director of the department of transportation, to do so.

Sec. 17-22. Permit--Application.
A person seeking issuance of a permit shall file an application with the director of the department of transportation on forms provided by the director for such purpose. A complete application for a permit must be filed at least thirty days before the date on which it is proposed to conduct the event. The director of the department of transportation, where good cause is shown therefore, shall have the authority to consider any late application hereunder which is filed at least five working days before the date such event is proposed to be conducted.

Sec. 17-23. Permit--Contents.
Each event permit application, submitted on a form adopted by the Director of Transportation, shall contain the following information:
(a) Starting time;
(b) Minimum and maximum speed;
(c) Maximum interval of space to be maintained between the units of the event;
(d) The portions of the streets, parkways or property to be traversed that may be occupied in connection with the event;
(e) The maximum length of the route in miles, or fractions thereof;
(f) Contain a map and detailed description of the route and/or location of the event;
(g) Be accompanied by a certificate of insurance, in a minimum amount to be approved by the Risk Manager, on which the County and the State are named as additional insureds; and
(h) Such other information as the director of the department of transportation finds necessary or advisable.

(a) The applicant or sponsor of an event must possess or obtain public insurance to protect against loss from liability imposed by law for damages on account of bodily injury and property damage arising from the event. Such insurance shall name on the policy or by endorsement as additional insureds the county and the
State of California, their officers, employees and agents. Insurance coverage must be maintained for the duration of the event.

(b) Coverage shall be a comprehensive general liability insurance policy.

(c) Minimum limits required shall be five hundred thousand dollars each person bodily injury, five hundred thousand dollars each occurrence bodily injury, one hundred thousand dollars each occurrence property damage.

(d) A copy of the policy or a certificate of insurance along with all necessary endorsements must be filed with the risk manager of the county at least 10 working days before the date of the event unless the risk manager for good cause waives the filing deadline. The event permit shall not be issued by the director of transportation until after the insurance policy or certificate of insurance along with necessary endorsements have been filed by the applicant or sponsor and approved by the risk manager.

(e) The insurance requirements of (a) through (d) of this section shall be waived by the director of transportation for events if the following conditions are satisfied: The applicant or sponsor signs a verified statement that it is believed the event's purpose is First Amendment expression, and that it has been determined that the cost of obtaining insurance is so financially burdensome that it would constitute an unreasonable burden on the right of First Amendment expression, or that it has been impossible to obtain insurance coverage. The statement shall include the name and address of one insurance agent or other source for insurance coverage contacted to determine insurance premium rates for insurance coverage.

Sec. 17-25. Permit--Other reviewing agencies.

The California Highway Patrol, affected fire protection districts, sheriff, risk manager or any other department, agency or private party affected by the proposed event shall be contacted for comments as determined by the director of transportation. (Ord. No. 1231, § 2.)

Sec. 17-26. Permit--Issuance conditions.

The director of the department of transportation shall issue a permit as provided for hereunder when, from a consideration of the application and from such other information as may otherwise be obtained, the director finds that:

(a) The conduct of the event will not substantially interrupt the safe and orderly movement of other traffic contiguous to its routes;

(b) The conduct of the event will not require the diversion of so great a number of law enforcement personnel to properly police the line of movement and the areas contiguous thereto as to prevent normal law enforcement protection in the county;

(c) The conduct of such event will not require the diversion of so great a number of ambulances as to prevent normal
ambulance service to portions of the county other than that to be occupied by the proposed line of march and areas contiguous thereto;

(d) The concentration of persons, animals and vehicles at assembly points or the location of the event will not unduly interfere with proper fire and police protection of, or ambulance service to areas contiguous to such assembly areas;

(e) The conduct of such event will not unduly interfere with the movement of fire-fighting equipment en route to a fire;

(f) The conduct of the event is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or create a disturbance;

(g) The event is not scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route; or

(h) The route or property has not already been scheduled for another event at the requested time; and

(i) The California Highway Patrol, sheriff, and the risk manager have approved the event.

Sec. 17-27. Permit—Action on application.
The director of the department of transportation shall act upon a complete application for a permit at least ten days before the event, except for a late application which shall be acted upon at least two days before the event. If the application is rejected, the director shall immediately notify the applicant by telephone of the rejection, stating the reasons for denial.

Sec. 17-28. Permit—Denial of application—Alternate permit.
In denying an application for a permit, the director of the department of transportation shall be empowered to authorize the conduct of the event on a date, at a time, or over a route different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within five days after notice of such decision, file a written acceptance with the director. An alternate permit shall conform to the requirements of, and shall have the effect of a permit.

Sec. 17-29. Permit—Exemptions.
The provisions of this article shall not apply to:

(a) Funeral processions;

(b) Students going to and from school classes or participating in educational activities, provided such is under the immediate direction and supervision of proper school authorities; or

(c) a governmental agency acting within the scope of its functions.

Applicant shall remove all litter and debris from the area used by the event. In addition, trespassing on or interference
with private property, including fences, is prohibited. The use of open fires by any participants while on county roads is prohibited and smoking is prohibited during the fire season (June through October). (Ord. No. 1231, § 2.)

Sec. 17-31. Other public events on public or private property. All events set forth under the provisions of "special events" under chapter 17.5 of this code, entitled "Special Events," shall be excluded from the requirements of this article.

SECTION II.

Pursuant to provisions of Government Code Section 25124(b)(1), a Summary of this Ordinance shall be published once, at least FIVE (5) DAYS prior to the meeting of the Board of Supervisors at which the Ordinance is to be finally considered for adoption (second reading), and a Summary of this Ordinance, with the vote of the members of the Board of Supervisors thereon, shall also be published once before the expiration of FIFTEEN (15) DAYS after adoption of the Ordinance. Both publications shall be in the FAIRFIELD DAILY REPUBLIC, a newspaper of general circulation, printed and published in the County of Solano, State of California, and shall be in full force and effect THIRTY (30) DAYS after its passage.

A certified copy of the full text of the proposed Ordinance shall be posted in the office of the Clerk of the Board of Supervisors at least FIVE (5) DAYS prior to the meeting of the Board of Supervisors at which the Ordinance is to be finally considered for adoption (second reading). A certified copy of the final Ordinance shall be posted in the office of the Clerk of the Board of Supervisors within FIFTEEN (15) DAYS after adoption of the Ordinance, and the posting shall include the vote of the Supervisors for or against the Ordinance.

ATTEST:

LEE SIMMONS, Chairwoman of the Board of Supervisors

LINDA L. TERRA, Clerk of the Board of Supervisors

I, LINDA TERRA, Clerk of the Board of Supervisors of the County of Solano, State of California, do hereby certify that the above and foregoing Ordinance was introduced at a regular meeting thereof held this 26th day of May, 1992.
On the motion of Supervisor Caddle and the second of Supervisors Carroll, this Ordinance was adopted at a regular meeting of said Board on the 9th day of June, 1992, by the following vote:

AYES: SUPERVISORS: Caddle, Carroll, Davis, Stewart and Chairwoman Simmons

NOES: SUPERVISORS: None

ABSTAINED: SUPERVISORS: None

ABSENT: SUPERVISORS: None

WITNESS my hand and the Seal of said Board this 9th day of June, 1992.

LINDA L. TERRA, Clerk of the Board of Supervisors

By