

ORDINANCE NO. _____

**AN ORDINANCE AMENDING SECTION 9.10.370 OF CHAPTER 9.10 OF
TITLE IX OF THE YUBA COUNTY ORDINANCE CODE RELATING TO
THE ESTABLISHMENT OF THROUGH HIGHWAYS BY EXPANDING
THE SCOPE OF THE TRAFFIC ENGINEERING INVESTIGATION WHICH
IS CONSIDERED BY THE BOARD IN MAKING THEIR DETERMINATION**

The following ordinance consisting of three (3) sections, was duly and regularly passed and adopted by the Board of Supervisors of the County of Yuba, State of California, at a regular meeting of the Board of Supervisors held on the ____ day of _____, 2008, by the following vote:

AYES:

NOES:

ABSENT:

Chairperson of the Board of Supervisors
County of Yuba, State of California

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

By: _____

APPROVED AS TO FORM
DANIEL G. MONTGOMERY, COUNTY COUNSEL



Angel P. Morris-Jones, Chief Deputy

**THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA,
STATE OF CALIFORNIA, DOES ORDAIN AS FOLLOWS:**

Section 1. This ordinance shall take effect thirty (30) days after its passage, and before the expiration of fifteen (15) days after its passage a summary shall be published, with the names of the members voting for and against the same, once in a local newspaper of general circulation in the County of Yuba, State of California.

Section 2. Section 9.10.370 of Chapter 9.10 of Title IX of the Yuba County Ordinance Code is hereby amended to read as follows:

9.10.370 Establishment of Through Highways.

Pursuant to the California Constitution Article XI §7 and Vehicle Code §§21101 and 21354 , the Board may determine upon the basis of a traffic engineering investigation, which includes but is not limited to a traffic study, accident incident reports of fatalities and injuries and any other pertinent facts or data that is

relevant for the Board to consider in making a determination in the reasonable exercise of their responsibility to protect the health and safety of public pursuant to their police powers, by resolution that it is necessary :

- (1) to designate any highway as a through highway and to require that all vehicles stop before entering or crossing the same,
- (2) to designate any intersection as a stop intersection and to require all vehicles to stop at one or more entrances to such intersections,
- (3) to control traffic within an intersection and require it to stop, when signs are erected as provided by the Vehicle Code.

Section 3. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.