

ORDINANCE O2019-\_\_

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
NAPA, STATE OF CALIFORNIA, AMENDING NAPA  
MUNICIPAL CODE CHAPTER 10.20.040 RELATED TO THE  
ESTABLISHMENT AND ENFORCEMENT OF SPEED LIMITS

WHEREAS, the State has asserted broad authority over, and a statewide interest in, the entire field of regulating vehicles and traffic (as set forth in the California Vehicle Code, particularly Section 21), and unless expressly authorized by the State legislature, a California city shall not enact or enforce any ordinance or resolution on matters regulated under the California Vehicle Code; and

WHEREAS, under this broad authority, California State law generally provides for a set of statewide and uniformly applicable traffic controls, including a set of prima facie speed limits, which are the speed limits that apply on streets and highways when no other speed limit is posted; and

WHEREAS, State law expressly authorizes the legislative bodies of local authorities, such as the City Council, to establish declared speed limits that deviate from the otherwise applicable prima facie and maximum speed limits established under State law when supported by an engineering and traffic survey performed in accordance with traffic engineering practices; and

WHEREAS, the City has previously adopted ordinances, as codified in Napa Municipal Code Chapter 10.20, to implement this authority to establish declared speed limits based on engineering and traffic surveys; and

WHEREAS, the City Council wishes to update previously established declared speed limits, based on updated engineering and traffic surveys, through an amendment to Chapter 10.20 as set forth in this ordinance; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meeting of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Napa as follows:

**SECTION 1: Amendment.** Napa Municipal Code Section 10.20.040, “Declared Speed Limits,” is hereby amended by modifying the chart listing each “Street or Roadway Segment” and “Declared Speed Limit (mph)” as follows:

- a. Delete the row for the Street or Roadway Segment: “Linda Vista Avenue – Lone Oak Avenue to Redwood Road” with a Declared Speed Limit (mph) of “25”, and replace it with two rows of text:

## ATTACHMENT 1

- Under the “Street or Roadway Segment” column, insert “Linda Vista Avenue – Lone Oak Avenue to West Pueblo Avenue”; and under the “Declared Speed Limit (mph)” column, insert “25”
  - Under the “Street or Roadway Segment” column, insert “Linda Vista Avenue – West Pueblo Avenue to Redwood Road”; and under the “Declared Speed Limit (mph)” column, insert “25”
- b. Delete the row for the Street or Roadway Segment: “Redwood Road – Dry Creek Road to State Route 29” with a Declared Speed Limit (mph) of “35”, and replace it with one row of text:
- Under the “Street or Roadway Segment” column, insert “Redwood Road – Dry Creek Road to Solano Avenue”; and under the “Declared Speed Limit (mph)” column, insert “35”
- c. Delete the row for the Street or Roadway Segment: “West Pueblo Avenue - Redwood Road to Donna Drive” with a Declared Speed Limit (mph) of “30”, and replace it with one row of text:
- Under the “Street or Roadway Segment” column, insert “West Pueblo Avenue - Redwood Road to Linda Vista Avenue”; and under the “Declared Speed Limit (mph)” column, insert “25”
- d. Delete the row for the Street or Roadway Segment: “West Pueblo Avenue –Donna Drive to Solano Avenue” with a Declared Speed Limit (mph) of “30”, and replace it with one row of text:
- Under the “Street or Roadway Segment” column, insert “West Pueblo Avenue – Linda Vista Avenue to Solano Avenue”; and under the “Declared Speed Limit (mph)” column, insert “30”

**SECTION 2: Severability.** If any section, sub-section, subdivision, paragraph, clause or phrase in this Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, sub-section, subdivision, paragraph, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more sections, sub-sections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

**SECTION 3: Effective Date.** This Ordinance shall become effective thirty (30) days following adoption.

City of Napa, a municipal corporation

MAYOR: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK OF THE CITY OF NAPA

## ATTACHMENT 1

STATE OF CALIFORNIA }  
COUNTY OF NAPA } SS:  
CITY OF NAPA }

I, Tiffany Carranza, City Clerk of the City of Napa, do hereby certify that the foregoing Ordinance had its first reading and was introduced during the public meeting of the City Council on the 18<sup>th</sup> day of December, 2018, and had its second reading and was adopted and passed during the public meeting of the City Council on the 15<sup>th</sup> day of January, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_  
Tiffany Carranza  
City Clerk

Approved as to Form:

\_\_\_\_\_  
Michael W. Barrett  
City Attorney