

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS ADOPTING AN ENGINEERING AND TRAFFIC SPEED LIMIT STUDY, ESTABLISHING MAXIMUM SPEED LIMITS ON STREETS WITHIN THE CITY OF DESERT HOT SPRINGS, AND AMENDING SECTION 10.32.010 OF THE DESERT HOT SPRINGS MUNICIPAL CODE

WHEREAS, the City Council of the City of Desert Hot Springs ("City") is concerned for the safety of persons driving on City streets; and

WHEREAS, Gerald Stock, RTE.2049, Hartzog & Crabill, Inc. conducted an engineering and traffic speed limit study within the City dated November 2018 ("study"), which study is on file in the Office of the City Clerk; and

WHEREAS, the "Study" was presented and approved by the Public Safety Commission on January 10, 2019 with no questions which resulted in no changes in the "study".

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS CITY DOES ORDAIN AS FOLLOWS:

Section 1. FINDINGS

That the City Council hereby declares that based upon the substantial evidence set forth in the study, the maximum speeds recommended in the study are appropriate to facilitate the orderly movement of traffic within the City and are reasonable and safe.

Section 2. ESTABLISHMENT OF MAXIMUM SPEEDS

That the Study is hereby adopted and the maximum speeds as recommended in the study are hereby established.

Section 3. MUNICIPAL CODE AMENDMENT

That Section 10.32.010, Chapter 10.32, of Title 10 of the City of Desert Hot Springs Municipal Code is hereby amended to read as follows:

10.32.010 ENGINEERING AND TRAFFIC SPEED LIMIT STUDY ADOPTED BY REFERENCE; MAXIMUM SPEEDS ESTABLISHED.

(A) The engineering and traffic speed limit study prepared for the City of Desert Hot Springs by Gerald Stock, RTE 2049, Hartzog and Crabill, Inc., and dated November 2018, ("study"), is adopted by reference and incorporated into this Traffic Code as if fully set forth herein. The maximum speeds as shown in the study are hereby established.

(B) Copies of the study are available for public inspection during normal hours at the office of the City Clerk

Section 4. ERECTING APPROPRIATE SIGNS

That the City Council hereby directs the Public Works Director to erect appropriate signs upon the streets of this City giving notice of the maximum speeds established by this ordinance.

Section 4. SEVERABILITY

That, should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance as hereby adopted shall remain in full force and effect.

Section 5. REPEAL OF CONFLICTING PROVISIONS

That all the provisions of the Municipal Code as heretofore adopted by the City of Desert Hot Springs that are in conflict with the provisions of this Ordinance are hereby repealed.

Section 6. AMENDING OF BAIL SCHEDULE

That the City Attorney's Office is hereby directed to determine whether this Ordinance necessitates amendment of the City's Bail Schedule and to cause such necessary amendments to be made and filed with the local branches of the Superior Court of the County of Riverside.

Section 7. EFFECTIVE DATE

That this Ordinance receiving a four-fifths vote of the full City Council shall take effect immediately on its introduction.

Section 8. CERTIFICATION

That the City Clerk shall certify to the passage of this Ordinance and shall cause the same to be published according to law.

PASSED AND ADOPTED by the City Council of the City of Desert Hot Springs at a regular meeting held on the 5th day of February, 2019 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

[SIGNATURES FOLLOW ON THE NEXT PAGE]

ATTEST:

Jerryl Soriano, City Clerk

APPROVED:

Scott Matas, Mayor

APPROVED AS TO FORM:

Jennifer Mizrahi, City Attorney