

ORDINANCE NO. 3205

ORDINANCE OF THE CITY OF CHULA VISTA REPEALING  
CHULA VISTA MUNICIPAL CODE 10.04.03.G.2  
AUTHORIZING THE CITY COUNCIL TO ADOPT  
TEMPORARY TRAFFIC AND PARKING CONTROL  
MEASURES PERTAINING TO SPECIAL EVENTS AND  
AMENDING CHULA VISTA MUNICIPAL CODE 10.04.03.H  
TO AUTHORIZE THE CITY ENGINEER TO ADOPT  
TEMPORARY TRAFFIC AND PARKING CONTROL  
MEASURES PERTAINING TO SPECIAL EVENTS

WHEREAS, the City Council of the City of Chula Vista currently approves all temporary road closures for Special Events; and

WHEREAS, City staff recently completed a Continuous Improvement (Kaizen) Event which sought to streamline the Special Events Permit process and found that the approval process for temporary road closures adds approximately three weeks to the application process; and

WHEREAS, California Vehicle Code 21101 (e) allows local jurisdictions to designate a “public officer or employee” to temporarily close a portion of any street for celebrations, parades, local special events, and other purposes; and

WHEREAS, designating the City Engineer to approve all temporary road closures for special events will result in shorter approval processes for special event permit applications, resulting in improved customer experience and improved efficiencies in the overall Special Event Permit process.

NOW, THEREFORE, the City Council of the City of Chula Vista does ordain as follows:

SECTION I: That Section 10.04.03 of the Chula Vista Municipal Code is hereby amended to read as follows:

**10.04.030 Regulation and maintenance of schedules of streets and zones subject to regulatory provisions.**

- A. Subject to subsection (G) of this section, the city council, at the concurrence of the city manager, hereby delegates the authority and responsibility to establish and maintain vehicular and pedestrian traffic and parking control measures, standards and requirements in the public right-of-way to the city engineer after review by the safety commission, unless, on affirmative vote of the majority of the membership of the safety commission, the commission objects to the proposed action by the city engineer, in which case the matter shall be referred to the city council, and the authority as to such matters shall thereafter be revested in the city council to be exercised upon the affirmative vote of at least three members of the city council.

- B. The safety commission may not initiate or order the implementation of a traffic control measure, but may recommend to the city engineer the consideration of a proposed traffic or parking control measure. If the city engineer declines to implement a traffic or parking control measure recommended by the safety commission, the safety commission may refer the matter to the city council, and following such referral, the authority to implement or order the particular traffic safety measure recommended by the safety commission shall be vested in the city council.
- C. The safety commission shall utilize the standards and procedures established in the California Vehicle Code and the state of California (Caltrans) Traffic Manual in its deliberations and recommendations, but may base its recommendations to the city engineer, or city council when applicable, upon other matters of public policy affecting traffic safety.
- D. The city engineer shall exercise the responsibility and authority hereby delegated for the determination, design, administration and enforcement of traffic and parking control measures and installation of devices consistent with the standards and warrants contained in the latest effective edition of the state of California Traffic Manual as amended, a copy of which is on file in the office of the city engineer. The city engineer shall promptly file any amendments to or later editions of the state of California (Caltrans) Traffic Manual or successor manuals promulgated by the state of California pursuant to the authority of the California Vehicle Code and, upon filing, those standards will become applicable to the determinations and regulations adopted by the city engineer.
- E. Except as provided in CVMC 10.52.070, no traffic control measure or parking control measure shall be enforceable, nor shall a violation be punishable, until an appropriate traffic control device or parking control device meeting the standards prescribed in subsection (D) of this section is posted or installed. Posting or installation shall be prima facie evidence of the legality of any traffic control measure or parking control measure adopted under this title.
- F. Administration and maintenance of records by the city engineer shall be as follows:
  - 1. The city engineer shall maintain all regulations under this title and provide the chief of police copies of all administrative interpretations and determinations made pursuant to this section which govern the installation and administration of traffic control measures and parking control measures in the city of Chula Vista.
  - 2. The city engineer shall maintain a register of all schedules which establish parking and traffic control measures for streets within the city, and shall incorporate into those schedules the streets, zones and intersections and restrictions or limitations previously listed in Schedules I through XVI as were previously codified in this title prior to their repeal by Ordinance 2670. The repeal or amendment of those sections by Ordinance 2670 is intended to merely delete reference to the street designations within the text of the municipal code. Parking and traffic control measures upon those streets, zones and intersections shall be administered by the city engineer pursuant to this section.

G. Exceptions. The city council reserves the right to enact ordinances and resolutions, and the city engineer shall make recommendations to the council, as appropriate, on the following matters:

1. Traffic control measures budgeted by the city as a capital improvement project budget.
- ~~2. Special event regulations establishing and maintaining traffic control measures for special events and community events using the public right of way.~~
- ~~3.~~ Regulations adopted pursuant to California Vehicle Code Section 21101(a) and (c).
- ~~4.~~ Traffic control measures affecting community businesses, and having an impact on the availability of parking within business districts including, but not limited to, angle parking and installation of parking meters.
- ~~5.~~ Parking and traffic regulations on private property and roads pursuant to California Vehicle Code Sections 21107 and 21107.8.
- ~~6.~~ Ordinances or resolutions which amend, modify or restrict the authority of the city engineer or which establish policy to guide the city engineer's exercise of authority pursuant to this code.
- ~~7.~~ Establishment of parking meter zones and parking fees pursuant to Vehicle Code Section 22508.
- ~~8.~~ Establishment of speed limits pursuant to California Vehicle Code Sections 22357 and 22358.

H. Emergency, Special Events and Road Construction Events. The city engineer's authority regarding the adoption of traffic and parking control measures for emergencies and road construction is as follows:

1. Road Construction. The authority to establish and maintain traffic control measures for road construction events shall be vested solely in the city engineer, unless overruled by the affirmative vote of three members of the city council. Referral to and concurrence of the safety commission are not required. The city engineer shall, under the following circumstances, advise the council a minimum of seven days in advance in writing of the following proposed traffic control measures exercised under the authority of this subsection:

- a. The proposed measure may involve complete road closures on any road;
- b. The proposed measure may involve significant interference with traffic on high volume roads;
- c. The proposed measure may involve long-term partial road closures on any road;
- d. The proposed measure may involve interference with access to any business;
- e. The proposed measure may involve the rerouting of traffic through residential areas.

2. Emergency Traffic Regulations. The city engineer may enact emergency traffic regulations with the concurrence of the chief of police when necessary to immediately preserve the public health, safety and welfare, and shall report the same to the city council within seven days. Emergency traffic regulations shall remain valid and effective until set aside or modified by the city council. Referral to the safety commission is optional. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.22.1).

3. Special event regulations establishing and maintaining traffic control measures for special events and community events using the public right-of-way.

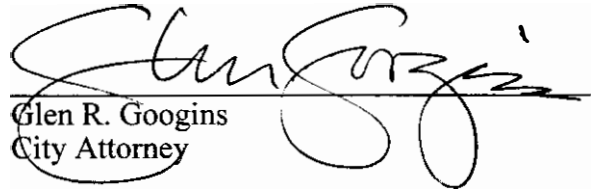
SECTION II: This ordinance shall take effect and be in full force thirty days from its adoption.

Presented by

Approved as to form by



Edward Chew  
Continuous Improvement Manager



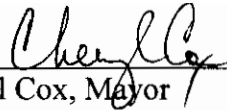
Glen R. Googins  
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 27th day of September 2011, by the following vote:

AYES: Councilmembers: Aguilar, Bensoussan, Castaneda, Ramirez and Cox

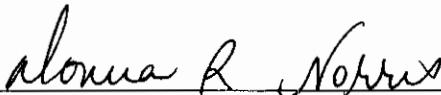
NAYS: Councilmembers: None

ABSENT: Councilmembers: None



Cheryl Cox, Mayor

ATTEST:



Donna R. Norris, CMC, City Clerk

STATE OF CALIFORNIA     )  
COUNTY OF SAN DIEGO    )  
CITY OF CHULA VISTA     )

I, Donna R. Norris, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3205 had its first reading at a regular meeting held on the 20th day of September 2011 and its second reading and adoption at a regular meeting of said City Council held on the 27th day of September 2011; and was duly published in summary form in accordance with the requirements of state law and the City Charter.

October 18, 2011

Dated



Donna R. Norris, CMC, City Clerk