

# REPORT TO COUNCIL

## City of Sacramento

915 I Street, Sacramento, CA 95814-2604  
www. CityofSacramento.org

CONSENT  
September 7, 2010

Honorable Mayor and  
Members of the City Council

**Title: Pass for Publication: Ordinance Amending Section 12.16.180 of the  
Sacramento City Code Concerning Temporary Street Closures**

**Location/Council District:** Citywide

**Recommendation:** 1) Review an **Ordinance** amending section 12.16 of the Sacramento City Code; and 2) **pass for publication** the ordinance title as required by the Sacramento City Charter Section 32(c) to be adopted on September 14, 2010.

**Contact:** Thomas Adams, Engineering Technician II, 808-7929

**Presenters:** Thomas Adams

**Department:** Transportation

**Division:** Engineering Services

**Organization No:** 15001151

**Description/Analysis:**

**Issue:** The California Vehicle Code Section 21101.4 allows local jurisdictions to temporarily close streets with continual criminal activity. In 1996, Section 21101.4 was amended to extend the initial closure for up to five consecutive periods of 18 months. In 2007, Section 21101.4 was again amended to allow local jurisdictions to extend the closure for not more than eight consecutive periods of 18 months. City Code Chapter 12.16, Article II, was enacted in 1999 pursuant to authority of vehicle code section 21101.4. It currently allows for an initial 18 month closure period and five consecutive extensions.

**Policy Considerations:** The proposed ordinance amendment is consistent with the City of Sacramento Strategic Plan goals of improving and expanding public safety, and achieving sustainability and enhancing livability.

**Environmental Considerations:**

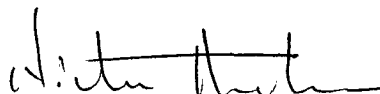
**California Environmental Quality Act (CEQA):** The Environmental Planning Services section of the Community Development Department has reviewed the proposed amendment and has determined that the activity is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301(f) of the CEQA Guidelines. This action involves a general policy of temporary closures of existing alleys by adding gates as restrictive devices to problem alleys. This action will not create any adverse impacts on the environment.

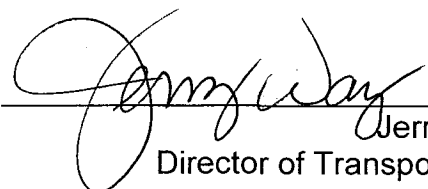
**Committee/Commission Action:** None.

**Rationale for Recommendation:** To allow the City to make full use of the full temporary closure period allowed by the California Vehicle Code, staff recommends that section 12.16.180 of the City Code concerning temporary street closures be amended to increase the maximum number of extensions from five consecutive renewals to eight consecutive renewals. The City Code amendment is necessary to ensure the effectiveness of the Problem Alley Abatement Program over a longer time period.

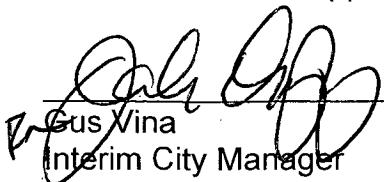
**Financial Considerations:** There are no additional fees being proposed as part of the amendment to the City Code.

**Emerging Small Business Development (ESBD):** There are no ESBD considerations.

Respectfully Submitted by:   
Nicholas Theocharides  
Engineering Services Manager

Approved by:   
Jerry Way  
Director of Transportation

Recommendation Approved:

  
Gus Vina  
Interim City Manager

**Table of Contents:**

Report	Pg 1
<b>Attachments</b>	
1 Background	Pg 4
2 Redlined Ordinance	Pg 5
3 Revised Ordinance	Pg 6

## Attachment 1

### Background:

The City of Sacramento currently has a Problem Alley Abatement Program which allows citizens to formally request the temporary closure of streets and alleys for the benefit of public safety. Authority for the temporary closure of streets is derived from the California Vehicle Code Section 21101.4 which authorizes local jurisdictions to temporarily close streets for an initial 18 months. In 1996, Section 21101.4 was amended to allow local jurisdictions to extend the initial closure for up to five consecutive periods of 18 months, if prior to each extension, a public hearing was held and the specified conditions were found to exist. In 2007, Section 21101.4 was again amended to allow local jurisdictions to extend the closure for not more than eight consecutive periods of 18 months, if prior to each extension, a public hearing is held and the specified conditions are found to exist. City Code Chapter 12.16, Article II, was enacted in 1999 pursuant to authority of vehicle code Section 21011.4. It currently allows for an initial 18 month closure period and five consecutive extensions.

Staff recommends that the Council adopt the attached Ordinance amending section 12.16.180 of the City Code concerning temporary street closures to increase the maximum number of extensions from five consecutive renewals to eight consecutive renewals. The amendment will allow the City to make full use of the temporary closure period allowed by the California Vehicle Code.

**Attachment 2**

REDLINED VERSION

**ORDINANCE NO.**

Adopted by the Sacramento City Council

Date Adopted

**AN ORDINANCE AMENDING SECTION 12.16.180 OF THE SACRAMENTO CITY  
CODE CONCERNING TEMPORARY STREET CLOSURES**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Section 12.16.180 of the Sacramento City Code is amended to read as follows:

12.16.180 Definitions applicable to this article.

“Arterial street” means a street designated as an arterial or minor arterial street in the circulation element of the city’s general plan or applicable community plan.

“Street” means a street, alley, way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. “Street” includes highway, as that term is defined in the California Vehicle Code.

“Temporary” means no longer than eighteen (18) months, except that period may be extended for not more than ~~five~~ eight additional consecutive periods of not more than eighteen (18) months each as provided in this article.

“Through highway” means a through highway, as that term is defined in Vehicle Code Section 600.

**Attachment 3**

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