

**RESOLUTION NO. 2004-893**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF: NOV 3 2004

**RESOLUTION AUTHORIZING THE RESTRICTION OF TRAFFIC THROUGH THE ALLEY BOUNDED BY "E" STREET, 14TH STREET, "F" STREET AND 13<sup>TH</sup> STREET WITHIN COUNCIL DISTRICT 3. RESTRICTED TRAFFIC PROCEEDING NO. RT04-07.**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:**

1. In accordance with Section 21102.1 of the Vehicle Code of the State of California and with Chapter 12.40.10 through 12.40.80 of the Sacramento City Code, the City Council hereby considers approval of the restriction of traffic on the following subject alley located at:

The alley bounded by "E" Street, 14th Street, "F" Street and 13th Street.

2. The City Council finds and declares that all the facts, as set forth in this resolution, and as stated in the staff report, are true and correct; and that by reason of these findings the subject alley shall have restriction of vehicle and pedestrian traffic.
3. The City Council finds and determines that such restriction of traffic by means of a gate is necessary for the protection or preservation of the public peace, safety, health, or welfare. Duration of restriction is until the City Council finds that such restriction is no longer necessary for the protection or preservation of the public peace, safety, health, or welfare.
4. The City Council finds and determines that the restriction of traffic provides adequate access for the maintenance, operation, replacement, removal, or renewal of existing and functioning utilities, for delivery of freight by commercial vehicles, for the operation of emergency vehicles, and for the performance of municipal services in or accessible through said alley.
5. The City Council approves the restriction of access to the subject alley with the following conditions:
  - a. A gate security device approved by the Sacramento Fire Department shall be installed.
  - b. Signs giving notice of such restrictions shall be installed at the entrances to the subject alley prior to the installation of the gate security device.

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- c. The gate security device shall not be operated in a selective manner that restricts the access of some vehicles and/or pedestrians to the subject alley, while permitting other vehicles and pedestrians unrestricted access to the alley.
- d. In the event that the gate security device requires construction by a private entity for improvements in the public right-of-way, a revocable encroachment permit and an excavation permit must be obtained from the Development Services Department. The revocable encroachment permit is to be issued simultaneously with this resolution. The excavation permit, if required, may be issued subsequent to this Resolution, but must be obtained prior to the construction of improvements in the public right-of-way.
- e. The City's Problem Alley Abatement Program will pay for one-half of the costs for construction of the gate and necessary signs, and the adjacent property owners will pay the remaining one-half.

HEATHER FARGO

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MAYOR

ATTEST:

SHIRLEY CONCOLINO

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CITY CLERK

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