

ORDINANCE NO. _____

**AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA,
AMENDING SECTION 12.12.010 OF THE MONTEREY COUNTY CODE RELATING
TO SPEED LIMITS ON COUNTY HIGHWAYS**

County Counsel Summary

This ordinance amends section 12.12.010 of the Monterey County Code by revising the speed limits for County roads in the unincorporated area of the County of Monterey.

The Board of Supervisors of the County of Monterey ordains as follows:

SECTION 1. Purpose and Findings.

A. Pursuant to Article XI, section 7 of the California Constitution, the County of Monterey may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens.

B. California Vehicle Code section 22352 establishes prima facie speed limits for local roads and streets. Prima facie speed limits are defined as speed limits that shall be applicable unless changed as authorized in the vehicle code and only when signs have been erected giving notice. The prima facie speed limit of 15 Miles Per Hour (MPH) applies to railroad crossings, uncontrolled highway intersections with obstructed view, and on alleys. A speed limit of 25 MPH applies on any highway other than state highways in any business or residence district, unless a different limit is established by procedures outlined in the vehicle code, and also in school zones. Local roads in Section 2 of this ordinance fall under prima facie speed limits and therefore do not require an engineering and traffic survey.

C. California Vehicle Code section 22358(a) authorizes the County of Monterey to determine and declare upon the basis of an engineering and traffic survey a prima facie speed limit of 60, 55, 50, 45, 35, 30, or 25 miles per hour, whichever is most appropriate to facilitate the orderly movement of traffic and is reasonable and safe. Upon performing engineering and traffic surveys, speed limits on County roads may be increased, decreased, or remain the same.

SECTION 2. Section 12.12.010 of the Monterey County Code is amended to add the following paragraphs:

Watkins Gate Road, in the East Garrison community, in its entire length, twenty-five (25) miles per hour; and

West Camp Street, in the East Garrison community, in its entire length, twenty-five (25) miles per hour.

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 4. This ordinance shall become effective thirty days from the date of final passage and adoption.

PASSED AND ADOPTED this ____ day of _____, 2022, by the following vote:

AYES:
NOES:
ABSENT:

Chair Supervisor Mary L. Adams,
Monterey County Board of Supervisors

A T T E S T:

VALERIE RALPH
Clerk of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:

KELLY L. DONLON
Assistant County Counsel