ORDINANCE NO. 935

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, AMENDING SECTION 10.04.070 OF THE LANCASTER MUNICIPAL CODE RELATING TO CLOSING ROADS AND HIGHWAYS

WHEREAS,   pursuant to Section 21100 of the California Vehicle Code, the City of Lancaster has the authority to adopt rules and regulations to regulate traffic at the site of road or street construction or maintenance; and,

WHEREAS,   Section 10.04.070 of the Lancaster Municipal Code currently authorizes the City Council to order roads or highways closed during the course of improvement if it deems it necessary to avoid injury to or interference with such work or improvement; and

WHEREAS,   the City Council of the City of Lancaster desires to delegate the authority to approve temporary road and highway closures to the Director of Public Works; and

WHEREAS,   Section 10.04.270 of the Lancaster Municipal Code sets forth the penalties for violating any of the provisions of Chapter 10.04.

THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1.   Section 10.04.070 of the Lancaster Municipal Code is hereby amended to read as follows:

10.04.070 Temporarily closing or restricting the use of City roads and highways

A. The Public Works Director may authorize the temporary closure, or restrict the use of, any City road or highway whenever the Public Works Director considers such closure or restriction of use necessary for the protection and safety of the public during storms or other emergencies, or during construction, improvement or maintenance operations thereon.

B. Whenever any City road or highway, or portion thereof, shall be closed to travel under the provisions of subsection A of this section, it shall be the duty of the contractor, foreman, engineer or other person in charge of the work of constructing, improving or maintaining said road to post conspicuously at each end of the portion of the highway closed and at all intersections thereof with other public roads, "Road Closed" signs and appropriate warning and detour signage.

C. No person shall drive or propel any automobile or other vehicle upon any road or highway, or portion thereof, that is closed to travel under the provisions of subsection A of this section, provided, that nothing herein contained shall be deemed to prohibit riding or driving thereon for purposes connected with the improvement thereof, which is in progress; and provided further that no person shall be guilty of a violation of this section who shall go upon the closed portion of any public road or highway at any intersection thereof with another public road, or at either end of such closed portion of such road, unless at such intersection or at such end of the closed portion of such road, as the case may be, the sign required by subsection B of this section is posted, or unless such person has been going upon the closed portion of such road, after having been informed that such road or highway or portion thereof is closed to travel.

Section 3.   The Mayor shall sign and the City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law in that regard and this Ordinance shall take effect 30 days after its final adoption.

Section 4.   That the City Clerk shall certify to the adoption of this Ordinance and will see that it is published and posted in the manner required by law.

I, Geri K. Bryan, CMC, City Clerk of the City of Lancaster, do hereby certify that the foregoing ordinance was regularly introduced and placed upon its first reading on the 27th day of October, 2009 and placed upon its second reading and adoption at a regular meeting of the City Council on the _____ day of _____, _____ by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: APPROVED:

_____   _____
GERI K. BRYAN, CMC   R. REX PARRIS
City Clerk   Mayor
City of Lancaster   City of Lancaster

STATE OF CALIFORNIA   )
COUNTY OF LOS ANGELES   ) ss
CITY OF LANCASTER   )

CERTIFICATION OF ORDINANCE
CITY COUNCIL

I, _____, _____ City of Lancaster, California, do hereby certify that this is a true and correct copy of the original Ordinance No. 935, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____ day of _____, _____.

_____

(seal)