

ORDINANCE NO. 93-008

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF FEB 0 2 1993

**AN EMERGENCY ORDINANCE AMENDING ARTICLE XIII
OF CHAPTER 38 OF THE SACRAMENTO CITY CODE
RELATING TO TEMPORARY CLOSURE OF STREETS IN
CASES OF DEMONSTRATED SERIOUS AND
CONTINUAL CRIME ACTIVITY**

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

SECTION 1

Section 38.203 of the Sacramento City Code is repealed.

SECTION 2

The following sections are added to Article XIII of Chapter 38 of the Sacramento City Code to read as follows:

§ 38.203 Procedure.

Any person may request the City Manager to study temporary closure of a street or streets, and make his/her recommendation to the City Council for action under this ordinance.

§ 38.204 Information/Documentation Required.

The following information/documentation shall be included in the request to the City Manager:

- (a) An exact description of the limits of the street(s) to be closed and the proposed method of closure.
- (b) (i) Documentation from the Sacramento Police department indicating that the area of the proposed street closure suffers from serious and continual criminal activity that is contributed to by vehicular or pedestrian traffic, and (ii) a recommendation from the Police department that the proposed temporary street closure be implemented because that action would substantially alleviate the serious and continual criminal activity in the area.

- (c) Verification from the Public Works Transportation division that the street closure proposed does not include an arterial or a through street, and that the proposed street closure allows adequate traffic circulation.
- (d) Verification from the Fire Department that the proposed closure will not adversely impact their operations.
- (e) Any other information\documentation requested by the City Manager in his\her sole discretion.

§38.205 Permits Required for Closure Improvements in the Public Right-of Way.

If the proposed street closure requires construction of temporary closure improvements such as fencing, gates, guard booth, or lighting, in the public right-of-way by a private entity, a revocable encroachment permit and an excavation permit must be obtained from the Public Works department. The revocable encroachment permit must be issued simultaneously with the approval of the street closure by the City Council. The excavation permit, if required, may be issued subsequent to City Council approval of the temporary closure, but must be obtained prior to actual closure of the street(s). The City Manager, in his/her discretion, may waive the fees required for these permits.

§38.206 Notice of Public Hearing.

A notice shall be given of the time, date, and place of the hearing, including a general description of the area affected, at least ten (10) calendar days before the public hearing. This notice shall be published in both of the following ways:

- (1) at least once in a newspaper of general circulation, published and circulated in the City, and
- (2) conspicuously posted along the line of the streets to be temporarily closed. The notices shall be posted not more than 300 feet apart, but at least three notices shall be posted.

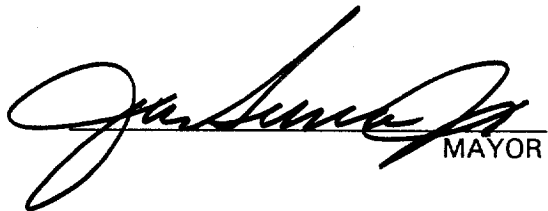
Substantial compliance with these provisions for notice shall be sufficient, and a technical failure to comply shall not affect the validity of any action taken according to the procedures in this article.-

38.207 to 38.209 Reserved.

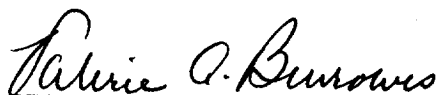
SECTION 3

This ordinance, adopted by the affirmative votes of at least six members of the council, is declared an emergency measure to take effect immediately upon adoption due to public health, welfare and safety concerns. This procedure is in accordance with section 32(g)(2) of the City Charter.

TITLE PUBLISHED: February 4, 1993
DATE ENACTED: February 2, 1993
DATE EFFECTIVE: February 2, 1993


MAYOR

ATTEST:


CITY CLERK

FOR CITY CLERK USE ONLY

ORDINANCE NO.: 93-008
DATE ADOPTED: FEB 02 1993