

## **RESOLUTION NO. 2012-396**

Adopted by the Sacramento City Council

November 20, 2012

### **RESOLUTION AUTHORIZING THE RESTRICTION OF VEHICULAR AND PEDESTRIAN TRAFFIC THROUGH THE ALLEYWAY BOUNDED BY DIXIEANNE AVENUE, EL CAMINO AVENUE, BOXWOOD AND EMPRESS STREETS PROCEEDING NO. RT12-01**

#### **BACKGROUND**

- A. The City received a request from the adjacent property owners of the alley bounded by Dixieanne Avenue, El Camino Avenue, Boxwood and Empress Streets to restrict vehicular and pedestrian traffic through the alley.
- B. Council District 2 is contributing towards the funding for this alley restriction. The City's Department of Public Works is processing the alley abatement requests as part of the Alley Abatement Program (T15100900).
- C. In accordance with Section 21102.1 of the Vehicle Code of the State of California and with Chapter 12.40 of the Sacramento City Code, the City Council hereby considers approval of the restriction of vehicular and pedestrian traffic in the subject alley for the protection and preservation of the public peace, safety, health and welfare.

#### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- Section 1. Restriction of vehicular and pedestrian traffic through the alley bounded by Dixieanne Avenue, El Camino Avenue, Boxwood and Empress Streets is necessary for the protection and preservation of the public peace, safety, health and welfare of the neighborhood.
- Section 2. Vehicular and pedestrian traffic through the alley bounded by Dixieanne Avenue, El Camino Avenue, Boxwood and Empress Streets shall be restricted by placement of a gate within the alley subject to the following conditions:
  - a) A locking security device approved by the City of Sacramento Fire Department will be installed on the gate.
  - b) City departments and utility companies will have twenty-four (24) hour access to their facilities within the alley.
  - c) 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.

- d) The locking 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 except as stated above in 2(b).
  
- e) In the event that the 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 City of Sacramento Department of Public Works. 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. The City Manager is authorized to waive the fee for the revocable encroachment permit.

Adopted by the City of Sacramento City Council on November 20, 2012 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, and Sheedy.

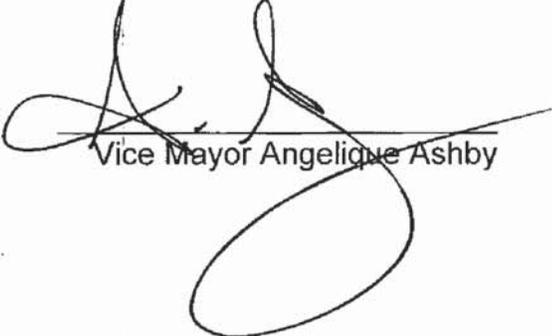
Noes: None.

Abstain: None.

Absent: Councilmember J. Schenirer and Mayor Johnson

Attest:

  
Shirley Concolino, City Clerk

  
Vice Mayor Angelique Ashby