

**ORDINANCE NO. 266-2022**

**AN ORDINANCE AMENDING CHAPTER 2, SECTION 2-7 OF THE CLEARLAKE MUNICIPAL CODE  
RELATED TO TRAFFIC ENGINEER / CITY ENGINEER**

**WHEREAS**, the Office of the Traffic Engineer is obsolete in that this function is currently served by the City Engineer;

**WHEREAS**, in order to update the Municipal Code so that it is consistent with current practice, the section related to the Traffic Engineer will be repealed and replaced with a City Engineer section; and

**NOW, THEREFORE**, the City Council of the City of Clearlake, State of California does ordain as follows:

**SECTION 1. FINDINGS.**

- A. The above recitals are declared to be true and correct findings of the City Council of the City of Clearlake.

**SECTION 2.**

Chapter 2, Section 2-7, is hereby repealed as replaced as follows:

Section 2-7 City Engineer

2-7.1

Established; Appointment; Compensation.

The City Engineer shall be appointed by the City Manager, and may be removed by the City Manager. The City Engineer may, in the discretion of the City Manager and with consultation from the City Council, be either a City employee or an independent contractor. The compensation will either be set by contract with the City Engineer is an independent contractor, or by salary schedule if the individual is a City employee.

2-7.2

Duties and Qualifications.

The City Engineer shall be a licensed professional engineer registered in the State of California, and shall be experienced in public works. The City Engineer shall provide professional engineering services defined by law, ordinance, resolution, standards of the engineering profession and guidance of the Council through the City Manager. The City Engineer shall provide engineering services to the City, which may include duties related to traffic.

2-7.3

Traffic Duties.

It shall be the general duty of the City Engineer to determine the installation and proper timing and maintenance of traffic control devices and signals, to conduct investigations of traffic conditions and to cooperate with other City officials in the development of ways and means to improve traffic conditions, and to carry out the additional powers and duties imposed by ordinances of this City. Whenever, by the provisions of this section, a power is granted to the City Engineer or a duty imposed upon him or her, the power may be exercised or the duty performed by a deputy or by a person authorized in writing by the City Engineer.

#### 2-7.3

Stop Signs, Yield Signs, No Turn Signs.

Whenever the City Engineer shall determine a need for boulevard stop signs, “yield” signs, “no left turn” or “no right turn” signs, or any other traffic control devices which impose a mandatory duty upon motorists, he or she shall prepare a written authorization of such installations and designations.

#### 2-7.4

Caution or Warning Signs.

Whenever the City Engineer shall determine that caution or warning signs or devices should be installed on any City street, he shall cause such installation to be done, provided that there are sufficient funds appropriated and available for the purpose.

#### 2-7.5

Parking Regulations.

Whenever the City Engineer shall determine a need for any parking regulations, including but not limited to, “no parking” zones, time limit parking zones, diagonal parking zones, bus stops, taxi stands, or other special parking restrictions, he shall prepare and present such authorization as required by State law.

#### 2-7.6

Violation and Penalty.

The failure of any person to observe and obey any traffic control device installed pursuant to subsection 2-8.3, shall be cited and punished as a violation of the Vehicle Code of the State of California.

**SECTION 2. Severability:** Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other

provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

**SECTION 3. CEQA.** The adoption of this Ordinance is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**SECTION 4. Effective Date.** This ordinance shall take effect thirty (30) days after adoption as provided by Government Code section 36937.

**SECTION 5. Certification.** The City Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. Pursuant to Government Code section 36933, a summary of this Ordinance may be published and posted in lieu of publication and posting the entire text.

**INTRODUCED** and first read at a regular meeting of the City Council on the \_\_\_\_ day of \_\_\_\_, 2022, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**FINAL PASSAGE AND ADOPTION** by the City Council of Clearlake occurred at a meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2022, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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**Dirk Slooten, Mayor**

**ATTEST:**

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**Melissa Swanson, City Clerk**  
**City of Clearlake**