

## ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF SUNNYVALE TO AMEND CERTAIN SECTIONS IN  
CHAPTERS 10.04 (GENERAL PROVISIONS), 10.08  
(TRAFFIC CONTROL DEVICES) AND 10.32 (THREE OR  
FOUR WAY MULTI-WAY STOP INTERSECTIONS) OF  
TITLE 10 (VEHICLES AND TRAFFIC) OF THE  
SUNNYVALE MUNICIPAL CODE RELATING TO DUTIES  
OF THE CITY TRAFFIC ENGINEER

WHEREAS, Sunnyvale Municipal Code Title 10 sets forth the City's procedures for installing traffic control devices at multi-way stop intersections; and

WHEREAS, currently the City Council is required to designate via resolution all multi-way stop intersections; and

WHEREAS, the City of Sunnyvale desires to amend certain sections of the Sunnyvale Municipal Code in Chapters 10.04, 10.08 and 10.32 to allow the traffic engineer to designate all multi-way stop intersections; and

WHEREAS, the City Council hereby adopts the amended Title 10 of the Sunnyvale Municipal Code to delegate authority to the traffic engineer to designate and install signs at all multi-way stop intersections.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 10.04.050 AMENDED. Section 10.04.050 of Chapter 10.04 (General Provisions) of Title 10 (Vehicles and Traffic) of the Sunnyvale Municipal Code is hereby amended to read as follows:

**10.04.050. Appeals of city traffic engineer determinations.**

- (a) [Text unchanged]
- (b) Any person dissatisfied by the final determination may appeal such determination to the city council within fifteen (15) calendar days of the traffic engineer's decision. Written notification of such appeal shall be filed with the city clerk and shall set forth in detail the facts and reasons supporting the appeal. The city clerk shall serve written notice to the appellant of the time, location and date of the city council meeting where the appeal will be heard. The city council may affirm, reverse or modify the final determination of the city traffic engineer.

During the pendency of any such appeal, the final determination of the city traffic engineer shall remain in full force and effect. The city council's determination on the appeal shall be final. It shall be incumbent on the city traffic engineer to implement or cause to be implemented, the city council's determination within thirty days of its ruling.

SECTION 2. Section 10.08.190 AMENDED. Section 10.08.190 of Chapter 10.08 (Traffic Control Devices) of Title 10 (Vehicles and Traffic) of the Sunnyvale Municipal Code is hereby amended to read as follows:

**10.08.190. Stop signs ~~and through streets~~—Designation by council.**

(a) Whenever the city ~~council~~ traffic engineer shall ~~by resolution~~ designate any intersection where three or more approaches to that intersection are required to stop, the city traffic engineer shall erect and maintain such designated stop signs. ~~Such resolution may be amended from time to time.~~

~~(b) —The city council shall by resolution designate streets or portions of streets as through streets or stop intersections. Such resolution may be amended from time to time.~~

SECTION 3. Section 10.32.020 AMENDED. Section 10.32.020 of Chapter 10.32 (Through Streets, Stop and Yield Intersections) of Title 10 (Vehicles and Traffic) of the Sunnyvale Municipal Code is hereby amended to read as follows:

**10.32.020. Three or four-way (multi-way) stop intersections.**

The driver of any vehicle upon approaching any entrance of any multi-way stop intersection ~~of the intersections set forth in the city council resolution concerning MULTI-WAY STOP INTERSECTIONS~~ posted with a stop sign shall stop:

(a) – (b) [Text unchanged]

SECTION 4. Section 10.32.030 DELETED. Section 10.32.030 of Chapter 10.32 (Through Streets, Stop and Yield Intersections) of Title 10 (Vehicles and Traffic) of the Sunnyvale Municipal Code is hereby deleted in its entirety.

SECTION 5. CEQA - EXEMPTION. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15378(b)(5), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 6. CONSTITUTIONALITY; SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. The City Council 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 7. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 8. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on \_\_\_\_\_, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on \_\_\_\_\_, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:  
RECUSAL:

ATTEST:

APPROVED:

\_\_\_\_\_  
City Clerk  
Date of Attestation: \_\_\_\_\_

\_\_\_\_\_  
Mayor

(SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney