

ORDINANCE NO. 1783

**AN UNCODIFIED INTERIM URGENCY ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF AMADOR PROHIBITING PARKING ON COAL MINE ROAD**

The Board of Supervisors of the County of Amador ordains as follows:

SECTION 1. PURPOSE AND AUTHORITY. The purpose of this ordinance is to establish a temporary no parking zone on both sides of Coal Mine Road, County Road No. 92.

SECTION 2. FINDINGS. The Board of Supervisors of the County of Amador makes the following findings in support of the immediate adoption and application of this temporary moratorium:

A. At 4:29 p.m. on Monday April 29, 2019, the Harrah's Northern California Casino "Casino" on Coal Mine Road in Amador County opened for business with a "soft opening."

B. In connection with the soft opening, several County roads leading to the Casino experienced significant traffic congestion and delays. Whether due to the delays associated with the backed up traffic, or whether they were turned away because the Casino's parking lot was full, people began parking their vehicles in various places along Coal Mine Road and walking back to the Casino entrance.

C. It is likely that the parking along Coal Mine Road will reoccur in the near future on weekends, on the formal grand opening on May 17 through May 19, or during other major promotional events at the Casino.

D. Coal Mine Road is a narrow, two-lane rural County road, which in certain sections near the Casino entrance is very curvy. There are no sidewalks anywhere on Coal Mine Road, and very little road shoulder in some sections.

E. Coal Mine Road was not designed or constructed to accommodate either roadside parking or pedestrian travel, and there are significant safety concerns associated with vehicles parking and pedestrians walking along Coal Mine Road.

F. California Vehicle Code section 22507 authorizes the County to prohibit the stopping, parking, or standing of vehicles on certain streets. However, such a County ordinance, if adopted would not be effective until approximately 45 days after introduction.

G. Amador County has a compelling interest in protecting the public health, safety, and welfare of its residents while traveling on county roads.

H. There is no feasible alternative to enactment of this no parking urgency ordinance that will satisfactorily mitigate or avoid the previously identified impacts to the public health, safety and welfare with a less burdensome or restrictive effect.

I. This temporary moratorium is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15308 (actions taken as authorized by local ordinance to assure protection of the environment) and 15061(b)(3) (“common sense exemption,” whereby there is no possibility the activity in question may have a significant effect on the environment). It is exempt pursuant to CEQA 15308 because it is a regulatory action taken by the County pursuant to its police power and in accordance with Government Code 65858 to assure maintenance and protection of the environment pending the evaluation and adoption of contemplated local legislation, regulation, and policies; and it consists of a temporary prohibition on industrial hemp cultivation within the County, which is currently unregulated at the local level. As an interim ordinance preserving the status quo and prohibiting a new land use that might impact the environment, the ordinance is also exempt under section 15061(b)(3).

J. This ordinance complies with State law and imposes reasonable regulations that the Board of Supervisors concludes are necessary to protect the public safety, health and welfare of residents and business within the County.

### SECTION 3. PARKING ON COAL MINE ROAD PROHIBITED.

During the term of this interim ordinance, including any extensions hereto, no person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon either side of Coal Mine Road.

SECTION 4. DECLARATION OF URGENCY. Based on the findings set forth in Section 2, this ordinance is declared to be an urgency ordinance that shall be effective immediately upon adoption by the Board of Supervisors.

SECTION 5. SEVERABILITY. If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

SECTION 6. CONFLICTING LAWS. For the term of this ordinance, as set forth in Section 7 below, the provisions of this ordinance shall govern. To the extent that there is any conflict between the provisions of this ordinance and the provisions of any other County code, ordinance, resolution or policy, all such conflicting provisions shall be suspended.

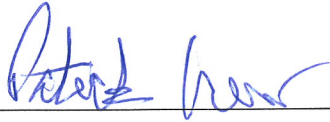
SECTION 7. EFFECTIVE DATE AND TERM. This ordinance shall take effect immediately upon passage by a four-fifths vote of the Board of Supervisors based upon the findings that this Ordinance is adopted pursuant to California Government Code section 65858 for the protection of the public safety, health, and welfare and shall remain in effect for forty-five (45) days from the date of its adoption unless extended pursuant to Government Code section 65858. The Clerk of the Board is hereby directed to publish this Ordinance as required by law.

The foregoing ordinance was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 14th day of May 2019, by the following vote:

AYES: Patrick Crew, Richard M. Forster, Frank Axe and Jeff Brown

NOES: None

RECUSED: Brian Oneto



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Patrick Crew  
Vice-Chairman, Board of Supervisors

ATTEST:



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JENNIFER BURNS, Clerk of the  
Board of Supervisors, Amador County,  
California