Title 12

STREETS, SIDEWALKS AND PUBLIC PLACES

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Chapter 12.04

ROAD DISTRICTS

Sections:
12.04.010 Statutory authority.
12.04.020 Finding.
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12.04.010 Statutory authority.
This division is enacted pursuant to the powers given to the board of supervisors by Section 1020 of the Streets and Highways Code of California, and the road district or districts hereinafter provided for shall be subject to all provisions of Chapter 3 of Division 2 of the Streets and Highways Code concerning such districts. (Prior code § 3260)

12.04.020 Finding.
It is found and determined by the board of supervisors of the county that public convenience and necessity render it suitable to create one road district out of all the unincorporated territory of the county. (Prior code § 3261)

12.04.030 Road district established.
All the unincorporated territory and area of the county shall be, and here is, constituted to be one road district. (Prior code § 3262)
Chapter 12.08

ENCROACHMENTS

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12.08.010 Administration—Department of public works.
12.08.020 Permit issuance.
12.08.030 Mailbox exemption.

12.08.010 Administration—Department of public works.
The provisions of Chapter 5.5 (commencing with Section 1450) of Division 2 of the Streets and Highways Code shall be administered by and the permits therein provided for shall be issued by the department of public works. (Prior code § 2900)

12.08.020 Permit issuance.
No encroachment permit shall be issued unless the applicant has first signed an agreement to indemnify and hold harmless the county, its officers, agents and employees from any and all liability which may arise for injury or damage to the person or property of the applicant or others resulting from the work done or the encroachment placed pursuant to the permit, or the manner in which the work is done or the encroachment placed or the manner, extent or lack of maintenance of the encroachment. The director of public works or his designee may execute on behalf of the county the agreements provided for by this section. (Prior code § 2901)

12.08.030 Mailbox exemption.
Mailboxes may be placed on county highway rights-of-way outside the roadbed area without a permit, provided the mailboxes and their placement comply with applicable rules and regulations of the United States Post Office and the director of public works. No mailbox shall be placed pursuant to this section in a place or manner which endangers the safety of persons lawfully using a county highway for pedestrian or vehicular purposes. (Prior code § 2902)
Chapter 12.12  
GRADING, EXCAVATING AND FILLING  

Sections:  
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12.12.010 Purpose.  
The purpose of this chapter is to promote and protect the public safety, convenience, comfort, prosperity, general welfare and the county’s natural resources by establishing minimum requirements for grading, excavating and filling in order to:  
A. Control erosion and sedimentation and prevent damage to off-site property and streams, watercourses, and aquatic habitat;  
B. Avoid creation of unstable slopes or filled areas;  
C. Prevent impairment or destruction of potential leach fields for sewage disposal systems;  
D. Regulate de facto development caused by uncontrolled grading. (Ord. 93-9 § 1, 1993: Ord. 91-2 § 1, 1991: prior code § 4650)  

For the purposes of this chapter, the following words and terms have the meanings indicated, unless the context in which any word or term is used or a specific provision of this code requires another meaning:  
“Earth material” means any soil, sand, gravel, decomposed granite, rock, organic or mulch cover or other natural material or fill.  
“Enforcing officer” is the person or body so designated by the board of supervisors.  
“Grading” means movement of any earth materials:  
1. In excess of two hundred fifty cubic yards; or  
2. Which damages or has the potential to significantly damage directly, or indirectly through erosion, any natural or manmade watercourse, whether year-round or intermittent, including drainage channels; or  
3. To make a road, temporary access road, building pad, mobile home pad or a new sewage disposal system when the installation of the sewage disposal system requires changes in the natural contour of the land; or  
4. Which disturbs ten thousand square feet or more of surface area.  
“Grading permits” are identified as “major project” or “minor project” permits. “Major project” permits shall be required for any grading which will involve (1) the movement of more than two thousand cubic yards of earth; (2) the disturbance of more than five acres of earth material; and/or (3) is defined as a discretionary permit (excludes grading permits for a detached single-family dwelling located on one parcel).
12.12.020

The issuance of all “major project” grading permits is subject to CEQA review by the planning division.

“Minor project” permits shall be required for any grading not requiring a “major project” permit. “Minor project” permits will be subject to CEQA review if defined as a “project” pursuant to CEQA Guidelines Section 15378.

“Grading standards” are standards for grading, as adopted and amended from time to time by resolution of the board of supervisors.

“Watercourse” means any well-defined channel with distinguishable bed and bank showing evidence of having contained flowing water indicated by deposit of rock, sand, gravel or soil, including but not limited to, streams as defined in Public Resources Code Section 4528(f). “Watercourse” also includes manmade watercourses. (Ord. 93-9 § 2, 1993: Ord. 91-2 § 2, 1991: prior code § 4652)

12.12.030 Enforcing officer designated.

In addition to any other enforcing officer designated by the board of supervisors, the director of the department of resource management and/or director of the department of public works are the enforcing officers with respect to work or projects under the administrative control of their departments. The department of public works and other county departments shall provide technical assistance to any enforcing officer. (Ord. 93-9 § 3, 1993: Ord. 91-2 § 3, 1991: prior code § 4664)

12.12.040 Grading restrictions.

No grading shall be done or caused to be done without a grading permit. A grading permit may allow for preliminary grading as part of a valid and effective building permit, subdivision construction plan, or other development or land use entitlement. Preliminary grading permitted for a subdivision project shall limit the work thereunder to that necessary for septic testing, water well drilling, environmental assessments, or surveying; preliminary grading plans for other projects shall contain all of the information required by Section 12.12.070. The grading permit associated with any building permit, subdivision construction plan, or other development or land use entitlement shall comply with the provisions of this chapter. (Ord. 93-9 § 4, 1993: Ord. 91-2 § 4, 1991: prior code § 4651)

12.12.050 Exemptions.

A. The following activities are exempt from permit requirements of this chapter:

1. Cultivation and production of agricultural products, including but not limited to gardening, forestry regulated by the California Department of Forestry and Fire Protection under an approved Timber Harvest Plan, and the rearing and management of livestock, except as provided in subsection B of this section;

2. Brush clearing in accordance with the provisions of Public Resources Code Section 4291 et seq. or at the direction of the fire warden for fire prevention and safety purposes;

3. Mining, quarrying, excavating, processing, or stockpiling of rock, sand, gravel, aggregate or clay, as authorized in the zone plan and for which a use permit and recla-
ation plan have been granted, except as provided in subsection B of this section;
4. Operation of refuse disposal sites for which a valid permit has been issued pursuant to Chapter 8.32;
5. Temporary excavation for installation or abandonment of underground storage tanks and associated piping when no permanent charge is made in the existing terrain and the excavation is refilled;
6. Temporary trench or pit excavation for the purpose of installing underground or overhead utilities, except as provided in subsection B of this section;
7. Subsurface geologic exploration under the supervision of a licensed civil engineer, registered environmental health specialist, engineering geologist or archeologist, except as provided in subsection B of this section;
8. The construction of pits for the containment of drilling fluids, when well drilling is performed pursuant to Chapter 8.56;
9. Grading conducted during a civil or hazardous material emergency or natural disaster to relieve or correct conditions caused by such emergency or disaster or to make emergency firebreaks;
10. The removal and spreading of contaminated earth materials from underground tank excavations performed in compliance with Chapter 8.24;
11. Grading performed on public works projects by a governmental agency.
B. No exemption provided in subdivisions 1, 3, 6 or 7 of subsection A of this section shall apply to any grading that will adversely affect any off-site drainage or aquatic habitat, or that will adversely affect the lateral or subjacent support of any property not owned by the owner of the land upon which such grading is performed.

(Ord. 93-9 § 5, 1993: Ord. 91-2 § 5, 1991: prior code § 4653)

12.12.060 Compliance with state and county standards required.
In addition to the requirements of the grading standards, the requirements of all laws, ordinances, and regulations of the state and county, and regulations of the Industrial Accident Commission, California Department of Industrial Relations, relating to the character of the work, equipment and labor personnel involved in the project shall be met. (Prior code § 4654)

A. The permit shall include an approved grading plan provided by the applicant and shall set forth terms and conditions of grading operations that conform to the county’s grading standards. The permit’s terms and conditions may incorporate or comply with the standard of other interested public agencies.
B. The permit shall require the applicant to provide a permanent erosion plan to be implemented upon completion of the project, which plan shall be approved prior to the commencement of any work. For any project which disturbs more than five acres, or where the director of the department of resource management or the director of the department of public works determines that a project may adversely impact a watercourse, the plan shall be prepared by a registered civil engineer experienced in erosion control, a certified professional soil erosion and sediment control specialist, or a soil scientist certified by the American Registry of Certified Professionals in Agronomy, Crops and Soils.
C. If work on the project will not be completed by October 15th, and the permit does not allow work to continue during the period October 15th through May 1st (the "wet weather season") a plan for closing the project during the wet weather season shall be required as a condition of permit issuance. The closure plan shall be prepared and certified by a professional listed in subsection B of this section.

D. If the permit allows work to be done during the wet weather season, the permit shall contain a condition requiring a wet weather operating and erosion control plan, which plan shall be approved prior to the commencement of any work. The wet weather plan shall be prepared and certified by a professional listed in subsection B of this section. That plan shall include all necessary temporary and permanent erosion control measures, including those to be followed should the work stop at any time during the wet weather season. The permit shall contain a timetable for installation of the erosion control measures.

E. Each permit shall require approval of a plan for ongoing maintenance of erosion control measures during the duration of the project and for three years after completion of the project, unless the project is released earlier by the enforcing officer. The plan shall name the person responsible for such maintenance. The maintenance plan shall be approved prior to the commencement of any work.

F. The director of the department of resource management or the planning commission or the board of supervisors where such body is the issuing body, may refuse to allow any grading on a project during the wet weather season, as a condition of permit issuance.

G. The permit may require the posting of security in an amount sufficient to cover all corrective action or site restoration work and/or the cost of permanent erosion control measures for a period of up to three years from the date of completion of the permanent erosion control measures.

H. The permit shall specify who, in addition to the owner, shall be responsible for installing and maintaining erosion control measures. (Ord. 93-9 § 6, 1993)

12.12.075 Permit issuance and fee.

A. Grading permits shall be issued by the director of the department of resource management.

B. The director of the department of resource management shall charge a fee established by resolution of the board of supervisors for issuance of the grading permit. (Ord. 93-9 § 7, 1993: Ord. 91-2 § 7, 1991)

12.12.080 Stop orders.

A. Whenever the enforcing officer determines that any grading is occurring or has occurred in violation of the provisions of this chapter, without a grading permit, in violation of the terms and conditions of the permit, or in violation of the grading standards or other applicable law, or without compliance with the conditions of any other applicable permit or governmental approval to perform the work, the enforcing officer shall issue a stop order directing that the violation cease immediately. The order shall state the nature of the violation and that it is deemed to be a nuisance and shall contain references to applicable provisions of law, the grading standards or conditions of approval upon which the enforcing officer based his determination. The order shall
include a statement of any corrective action or restoration work the enforcing officer deems necessary to abate the condition.

B. The order shall direct that the condition constituting the violation be abated within ten days after the order is posted and shall state that in the event the owner fails to abate the condition, the condition may be abated at the owner's cost as provided in this chapter. If the enforcing officer determines that the work has proceeded without a required permit or other necessary entitlement from the county, the order shall so state and shall direct that application for the permit or entitlement be made.

C. The order shall be prominently posted at the site of the work and shall be addressed and mailed to the owner of the site, as determined by the latest assessment roll, and any engineer, contractor or equipment operator known to the enforcing officer to have caused or be responsible for causing the work to be done.

D. If the enforcing officer determines that the work is being performed under the authorization of or pursuant to approval by a public agency other than the county and which has jurisdiction to regulate the work, the enforcing officer shall refer the matter to that agency.

E. If no permit or other entitlement is required to perform the work necessary to abate the condition and the condition is abated within the ten-day period, the enforcing officer shall cause the order to be removed from the site and shall mail notice that the order has been removed to the persons to whom the stop order was mailed.

12.12.090 Summary abatement.
A. The enforcing officer may order and cause the immediate abatement of any condition without notice if he finds that the public health, safety or welfare are immediately threatened or endangered by the condition, and the circumstances require abatement before the owner can be notified of the condition, or if so notified, before abatement can be accomplished by the owner.

B. A complete report shall be rendered by the person who ordered the abatement to the board of supervisors at its next regular meeting. The board may hold a hearing on the provisions of Chapter 8.28 to determine whether the cost of the abatement should be specially assessed against the parcel where the work occurred which caused the condition, or otherwise recovered by the county.

12.12.100 Unlawful acts.
A. No person shall do, cause or permit to be done any work in violation of any regulatory or prohibitory provision of this chapter, or any grading permit, or the grading standards, or any stop order issued under this chapter.

B. No person shall abandon any work in violation of any regulatory or prohibitory provision of this chapter, the grading standards, or any stop order issued pursuant to this chapter.

12.12.110 Other penalties.
In addition to any other penalties provided by law, one or more of the following penalties may be imposed upon the owner or developer upon a finding by the enforcing officer, planning commission, or board of supervisors, as specified, that the owner
12.12.110

or developer has violated a provision of this chapter.

A. The enforcing officer may order that no further work be done on the project until:

1. A grading permit is obtained or modified, which permit or modified permit shall include a corrective action or site restoration plan which addresses mitigation of off-site erosion hazards and prevents off-site damage; and

2. The work required by the plan is completed to the satisfaction of the enforcing officer.

B. If the owner or developer violates this chapter by grading without a permit (sometimes known as “pre-grading”), the official or body subsequently issuing a building permit, subdivision construction plan or a preliminary grading permit shall require that the usual permit fee be doubled.

C. If the owner or developer violates this chapter by grading without a permit ("pre-grading") or by failing to comply with the terms or conditions of the permit, the director of the department of resource management, the director of the department of public works, the planning commission or board of supervisors may issue an order prohibiting further work on the project until the owner or developer provides a bond, or other acceptable performance security, in a sum sufficient to cover all corrective or site restoration work and the cost of all permanent erosion control measures.

D. The director of the department of resource management, the director of the department of public works, the planning commission or board of supervisors may order that further development, other than erosion control and corrective action or site restoration measures, be suspended for up to two years from the date of satisfactory completion of all corrective action or site restoration work. (Ord. 93-9 § 10, 1993: Ord. 91-2 § 10, 1991)
Chapter 12.16

STREET NAMING

Sections:

12.16.010 Purpose.
12.16.020 Road name administrator designated.
12.16.030 Naming of county roads—Notice and hearing on adoption of name or change of name.
12.16.040 Naming of roads without hearing or notice.
12.16.050 Unlawful acts.

12.16.010 Purpose.

The purpose of this chapter is to promote and protect the public safety, convenience, comfort, prosperity and general welfare of the county’s residence by establishing requirements for naming of public and private roads, streets and highways in unincorporated areas of the county in order to:

A. Allow for locating of principal access to dwellings and businesses rapidly and with certainty;

B. Allow for emergency vehicles to respond quickly to calls, expedite postal and other delivery services;

C. Eliminate confusion and error and enable customers and friends to locate principal access to business establishments and residents. (Ord. 93-13 § 1, 1993: prior code §§ 4800, 4801)

12.16.020 Road name administrator designated.

A. All roads, whether public or private, whether dedicated or not, shall be named or renamed pursuant to this chapter and such roads shall be known by the names assigned. The director of the department of resource management, or his designee, shall serve as a road name administrator (administrator) and shall ensure implementation of this chapter. The administrator shall proceed with a program to officially name all existing roads for which no name has been officially assigned, shall be responsible for officially naming all newly created roads and shall effect name changes where required by provisions of this chapter.

B. In performing duties required by this chapter, the administrator shall provide and maintain necessary standards to effect this chapter and the orderly and efficient management of the county road name program, including, but not limited to:

C. Standards for petitions, notification of proposed and new road names, posting for public hearings, maintenance of a county road index, and standards for name selection and road identification signs and signing for street limitations. (Ord. 93-13 § 2, 1993: prior code § 4802)

12.16.030 Naming of county roads—Notice and hearing on adoption of name or change of name.

Any county road may be officially named or renamed upon petition of two-thirds of the owners of each parcel adjacent to and served by the road or by recommendation of the administrator.

A. A petition for naming or renaming a county road shall be reviewed by the ad-
ministrator for its compliance with this chapter including road name standards, upon which the administrator shall make a recommendation within thirty days after receipt of a valid petition. In case of an existing unnamed county road where no written protest has been received, the administrator may determine no hearing is necessary and authorize the naming of the road pursuant to Section 12.16.040(B).

Upon the administrator’s recommendation for a hearing on a petition, the matter shall be set for public hearing before the board of supervisors. In absence of a petition, the administrator may also provide a recommendation pursuant to this chapter and then set a public hearing before the board of supervisors. The administrator may elect to schedule a public hearing before the planning commission prior to setting a hearing before the board of supervisors.

B. Notice of the public hearing shall be given by posted notice in at least three roadside locations within view of the road. Such posting shall be completed at least ten days prior to the date of the public hearing.

C. Fees for processing road name requests for renaming of roads shall be in accordance with those set by the board of supervisors. (Ord. 93-13 § 3 (part), 1993)

12.16.040 Naming of roads without hearing or notice.

Existing and new county and private roads which have not been officially named are to be named according to one of the following procedures:

A. Any existing county or private road within the unincorporated area of the county which has not been officially named by the board of supervisors may be officially named upon recommendation by the admin-
Chapter 12.20

HOUSE NUMBERING

Sections:
12.20.010 Uniform numbering system.
12.20.020 Road name administrator—General duties.
12.20.030 Administration.
12.20.040 Unlawful acts.

12.20.010 Uniform numbering system.

A uniform system of numbering properties and principal buildings, as shown on the map identified by the title "Shasta County House and Property Numbering Map" dated 1971, which is filed and maintained in the offices of the administrator, as defined in Chapter 12.16, is adopted for use in the county. All numbering of properties and principal buildings shall comply with this map’s uniform numbering system. (Ord. 93-13 § 4, 1993: prior code § 4810)

12.20.020 Road name administrator—General duties.

The road name administrator (administrator), as defined in Chapter 12.16, shall be responsible for maintaining the numbering system. In the performance of this responsibility, the administrator shall be guided by the map and guidelines of this chapter. (Ord. 93-13 § 5, 1993: prior code § 4811)

12.20.030 Administration.

The administrator will assure that the county’s uniform numbering system is managed in an orderly and efficient manner which is consistent with this chapter.

A. The administrator shall keep a record of all numbers assigned under this chapter. These records shall be open for inspection of the public during regular business hours.

B. The administrator shall issue to, upon the request of any property owner in an unincorporated area of the county whose property contains a principal structure or permit for a principal structure, a number or numbers in accordance with this chapter.

C. Prior to the issuance of any property number, the administrator shall assure that the principal access to the property has been named pursuant to Chapter 12.16.

D. The administrator shall maintain guidelines for numbering of properties and principal dwellings and make such guidelines available to the public.

E. Fees for processing applications for numbering of properties shall be in accordance with those set by the board of supervisors.

F. The administrator shall assure appropriate notice to other affected agencies of addresses and road names and any road renaming. (Ord. 93-13 § 6, 1993: prior code § 4812)

12.20.040 Unlawful acts.

No person shall mark, deface or alter any county road or private road sign which has been officially named pursuant to this chapter. No person shall mark or post any sign for an officially named road with any name other than the approved official name. (Ord. 93-13 § 3 (part), 1993)
Chapter 12.24

BOATING, SWIMMING AND FISHING

Sections:

12.24.010 Intent.
12.24.040 Applicability.
12.24.060 Vessel operation—Owner's consent required.
12.24.070 Waterskiing restrictions—Shasta Lake.
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12.24.090 Speed zones—Shasta Lake, Fall River, Lake Britton, Lake McCloud, Little Tule River and Eastman Lake.
12.24.100 Exemption from speed limits.
12.24.110 Racing prohibited—Exception.
12.24.120 Speed limit between dusk and dawn.
12.24.130 Waste disposal prohibition.
12.24.150 Prohibited boating areas.
12.24.160 Prohibited swimming and boating areas.
12.24.170 Areas where fishing prohibited.

12.24.010 Intent.

It is declared that the purpose of this chapter is to further the public interest, welfare and safety by providing for the protection and promotion of safety and sanitation in the operation of vessels operated in waters within the jurisdiction of this county. (Prior code § 3200)


This chapter is enacted pursuant to Section 660 of the Harbors and Navigation Code of the state and all other applicable federal and state laws. (Prior code § 3211)


For the purposes of this chapter, the words set out in this section shall have the following meanings:

"Motorboat" means any vessel propelled by machinery, including those temporarily equipped with detachable motors, whether or not such machinery is the principal source of propulsion, but shall not include a vessel which has a valid marine document issued by the Bureau of Customs of the United States Government or any federal agency successor thereto.

"Person" means and includes any individual, firm, partnership, corporation, company, association, joint stock association, or body politic, except the United States, the state, and the county, and includes any agent, trustee, executor, receiver, assignee or other similar representative thereof.

Owner.

A. "Owner" means a person having all the incidents of ownership, including the legal title, of a vessel whether or not such person lends, rents, or pledges such vessel; the person entitled to the possession of a vessel as the purchaser under a conditional sale contract; or the mortgagor of a vessel.

B. "Owner" does not include a person holding legal title to a vessel, or the renter or lessor of a vessel to the state or to any county, city, district, or political subdivision of the state under a lease, lease-sale, or
rental-purchase agreement which grants possession of the vessel to the lessee for a period of thirty consecutive days or more.

"Sailboat" means any vessel propelled by sail or canvas. For the purposes of this division, any vessel propelled by both sail or canvas and machinery of any sort shall be deemed a motorboat when being so propelled.

"Vessel" means every description of watercraft used or capable of being used as a means of transportation on, through, or under water, including, but not limited to, rafts, aquaplanes, water skis and surfboards, except the following:

A. A seaplane on the water;
B. A watercraft specifically designed to operate on a permanently fixed course, the movement of which is restricted to or guided on such permanently fixed course by means of a mechanical device on a fixed tract or arm to which the watercraft is attached or by which the watercraft is controlled, or by means of a mechanical device attached to the watercraft itself. (Prior code §§ 3201 - 3205)

12.24.040 Applicability.

A. The provisions of this chapter shall be applicable to any of the waterways of the county and shall be construed to supplement federal and state laws and regulations when not expressly inconsistent therewith on all waterways where such federal and state laws and regulations are applicable.

B. The provisions of this chapter shall apply to lands not owned by public agencies or dedicated to public use only at such times as such lands are made available by the owner or owners for full public utilization for navigation and recreational purposes. Such availability shall be established by the filing, by the owner or owners and with the consent of the board of supervisors, of a map showing the areas open to such public use. Such filing shall be made at the office of the county clerk and may be terminated by the owner's notice in writing to the clerk. Filing of such map shall constitute consent by the owner to be bound by the provision of this chapter and to place and maintain signs and barriers as specified by the county, except that any act by the owner which is necessary for the operation or maintenance of the premises shall not be deemed a violation of this chapter and shall constitute consent for entrance onto the property by officials of any public agency for police and fire protection services. The procedure established by this section shall not be deemed a dedication of the property to the public.

C. Provisions of this chapter shall not apply to employees of governmental agencies or to employees of P.G.&E. when used in official business of their employers. (Prior code §§ 3210, 3250, 3251)


No persons having possession or being in charge or control of a vessel shall authorize or knowingly permit the same to be operated by any person who, by reason of physical or mental disability, or because of age, intoxication or the influence of any narcotic drug or dangerous drug as defined by the California Health and Safety Code, is incapable of operating such watercraft under the prevailing circumstances. (Prior code § 3220)

12.24.060 Vessel operation—Owner's consent required.

No person shall take, use or operate any vessel without the consent of the owner or person in charge thereof. (Prior code § 3221)

12.24.070 Waterskiing restrictions—Shasta Lake.

A. From and after the effective date of this section the sheriff is authorized to close
those portions of Shasta Lake to waterskiing upon his finding that waterskiing in such areas is hazardous. Such closure shall be effective from and after the placement of buoys declaring the area closed as follows:

1. At least two buoys in the waterway or waterways connecting the closed area with other portions of the lake; and
2. At least one buoy at each launch ramp open to the public and within the closed area.

B. Any such closure may be revoked by the sheriff at any time upon his finding that waterskiing within such area is no longer hazardous. (Prior code § 3221.5)

12.24.080. Reserved.


12.24.090 Speed zones—Shasta Lake, Fall River, Lake Britton, Lake McCloud, Little Tule River and Eastman Lake.

No person shall operate a motorboat at a speed in excess of five miles per hour in any of the following areas:

A. Within two hundred feet of any permanent launching ramp or permanent boat docking or berthing facility;
B. Within one hundred feet from any shoreline or anchored vessel;
C. On the following coves or areas of the following arms of Shasta Lake:
   1. Sacramento River arm:
      a. The Sacramento River above Riverview docks,
      b. Indian Creek,
      c. Big Sugarloaf Creek,
      d. Upper Salt Creek east of the railroad bridge,
      e. Little Sugarloaf Creek,
      f. Upper O'Brien Inlet,
      g. Halfway Cove,
   h. Big Backbone Creek north of Lime Road Creek,
   i. Little Squaw Creek,
   j. Dry Fork,
   k. Charlie Creek Cove,
   l. Doney Creek Cove,
   m. Five hundred feet south of the Antlers Resort boat dock to five hundred feet north of the Antlers Resort boat dock,
   n. Five hundred feet south of the Lakeshore Resort boat dock to five hundred feet north of the Lakeshore Resort boat dock,
   o. Five hundred feet south of Tsasdi's Resort boat dock to five hundred feet north of the Tsasdi's Resort boat dock;
  2. McCloud River arm:
     a. Little Cavieye Creek,
     b. Nosoni Creek,
     c. Dekkas Creek,
     d. Campbell Creek,
     e. Kelucha Creek,
     f. Ycatti Creek,
     g. Hirz Creek,
     h. Green's Creek Cove;
  3. Squaw Creek arm:
     a. Upper Squaw Creek north of Didalis Creek summer home tract,
     b. Winston Gulch;
  4. Pit River arm:
     a. Stein Creek,
     b. Flat Creek,
     c. Brock Creek,
     d. Ar buckle Creek,
     e. Sugar Pine Gulch,
     f. Dark Canyon,
     g. Dead Horse Creek,
     h. Reynolds Creek,
     i. Blue Canyon,
     j. Murphy Creek,
     k. Reno Canyon,
     l. Brush Canyon,
     m. Jones Valley Cove,
     n. Silverthorn Cove;

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D. On Fall River, from the south boundary of Section 19, T. 38 N., R. 4 E., M.D.B. & M., to its confluence with the Tule River;
E. On Lake Britton:
   1. Between Lake Britton Dam and the Ferry Crossing,
   2. Burney Creek Cove,
   3. From two hundred yards west (downstream from) the Highway 89 bridge to two hundred yards east of (upstream from) the railroad bridge,
   4. East (upstream) from point seventy-five miles west of the gas pipeline crossing;
F. On Lake McCloud upstream from the road bridge at the north end of the McCloud arm of the lake;
G. On Little Tule River from its confluence with the Tule River up to and including Eastman Lake. (Ord. 2000-3 (part), 2000: Ord. 99-3 (part), 1999: Ord. 93-7 § 2, 1993: prior code § 3222)

(Ord. No. 2008-02, § 2, 8-12-2008)

12.24.100 Exemption from speed limits.
The sheriff and any of his deputies are exempted from speed limits imposed by Sections 12.24.090 Band C and 12.24.120 while driving a sheriff's patrol boat under all of the following conditions:
A. If the boat is being driven in response to an emergency call or is engaged in rescue operations or in pursuit of an actual or suspected violator of the law;
B. If the driver of the boat sounds a siren as may reasonably be necessary in the circumstances and the boat displays a lighted blue lamp visible from the bow as a warning to other persons using the body of water in the vicinity of the boat. (Ord. 2000-3 (part), 2000: Ord. 99-3 (part), 1999: prior code § 3224.1)

12.24.110 Racing prohibited—Exception.
No races of any motor vessel or motor vessels shall be held upon the waters of the county except at such times and at such places as may be designated from time to time by the board of supervisors of the county and/or the United States Forest Service or United States National Park Service. (Prior code § 3230)

12.24.120 Speed limit between dusk and dawn.
No person shall operate a vessel during the hours between one-half hour after sunset and one-half hour before sunrise at a speed in excess of fifteen miles per hour. (Prior code § 3224)

12.24.130 Waste disposal prohibition.
No person shall dump human waste, bottles, cans, motor oil, garbage, trash or other debris from a vessel into the waters of the county. (Prior code § 3223)

A. No person shall anchor a vessel in a heavily travelled channel except in an emergency.
B. No person shall tie or otherwise moor a vessel directly to the face of Shasta Dam. (Ord. 99-2 (part), 1999: prior code § 3225)

12.24.150 Prohibited boating areas.
A. No person shall operate a vessel within five hundred feet of Keswick Dam, Lake Britton Dam, Pit 1 Intake Dam, Pit 6 Dam, Pit 7 Dam, Lake McCloud Dam, Whiskeytown Dam Glory Hole, Clear Creek Powerhouse, Keswick Powerhouse or the railroad immediately downstream from the Spring Creek Powerhouse on Keswick Lake, nor between Shasta Dam and highway bridge below the Shasta Dam Powerhouse, nor within two hundred feet of the intake portal of Iron Canyon Dam, nor Pit 1 Forebay Dam, nor Hat Creek 1 Reservoir Spillway Dam.
B. No person shall operate a vessel within a water area which has been clearly marked, in accordance with, and as authorized by, this chapter, the laws of the state, or by rules of the United States Bureau of Reclamation or United States Forest Service, or United States National Park Service, by buoys or some other distinguishing device, as a bathing, swimming or otherwise restricted area; provided that, this section shall not apply in the case of an emergency, or to patrol or rescue craft. (Ord. 99-2 (part), 1999: prior code §§ 3226, 3229)

**12.24.160 Prohibited swimming and boating areas.**

A. No person shall swim, bathe himself or operate a water craft at any time in the following water storage facilities:

1. Coleman Forebay;
2. Cow Creek Forebay;
3. Kilarc Forebay;
4. Lake Grace;
5. Lake Nora;
6. On Hat Creek between Hat Creek 1 powerhouse intake and the county bridge on Cassel Road;
7. Pit 4 Forebay;
8. Pit 7 Afterbay;
9. Pit 5 Reservoir;
10. Pit 5 Open conduit.

B. No person shall swim in the open and main channels of Shasta Lake, Whiskeytown Lake or Lake Britton unless accompanied by a vessel manned by a competent operator. No person shall swim or bathe within two hundred feet of any boat launching ramp or dock open to the public. No person shall dive from Shasta Dam.

C. No person shall operate a motorboat, except a motorboat powered solely by electric trolling motor, at any time in the following water storage facilities:

1. McCumber Reservoir;
2. Hat Creek 2 Reservoir (Baum Lake);
Chapter 12.28  
WATERCOURSES

Sections:
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12.28.020 Enforcement officer designated.
12.28.030 Permit required.
12.28.040 Permit—Exemptions.
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12.28.060 Permit—Application.
12.28.070 Permit—Application—Other documents.
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12.28.120 Change in work specifications.
12.28.130 Notice of violation.
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12.28.150 Emergency abatement.
12.28.160 Emergency work authorized.
12.28.170 Unsatisfactory performance—Surety bond to cover costs.
12.28.180 Appeal.

12.28.010 Definitions.
For the purpose of this chapter the following terms have the meaning stated unless the context in which any word is used requires another meaning:
“Excavating” means movement of natural material leaving any cut bank over eight feet in vertical height or any cut below a line sloping down at a grade of one vertical to one and one-half horizontal from the ground.

“Filling” means movement of materials leaving a filled bank over three feet in vertical height or filled materials over three feet deep.

“Grading” means:
A. Movement of any materials affecting any natural or artificial watercourse, including drainage channels; or
B. Excavating or filling.

“Person” means a natural person or a firm, business, corporation, partnership, or public agency.

“Watercourse” means a drainageway which has a defined bed, banks, and channel and which carries a flow of water at least periodically. “Watercourse” includes all drainageways shown as blue solid or dotdash lines on the U.S. Geological Survey Quadrangle Sheets. (Prior code § 4602)

12.28.020 Enforcement officer designated.
The special districts manager is charged with the administration of the provisions of this chapter and is designated as the enforcing officer. (Prior code § 4621)

12.28.030 Permit required.
No person, firm, corporation, partnership or public agency shall commit, or cause to be committed, any of the following acts in the unincorporated area of the county unless a drainage permit has first been obtained or the work is exempt from the requirements of this section by provisions of Section 12.28.040:
A. Grading, excavating or filling within any natural watercourse or any manmade watercourse constructed on
12.28.030

land owned by a public agency or dedicated to public use for flood control or drainage purposes.

B. Construct or alter any improvement within or over the channel of any watercourse described in subsection A of this section. (Prior code § 4600)

12.28.040 Permit—Exemptions.

Grading, excavating or filling for the following activities does not require a drainage permit under Section 12.28.030:

A. Work on any watercourse with a watershed area of less than thirty acres;

B. Work subject to engineering approval of or which is constructed by any state or federal agency or other public agency which has specific power to engage in flood or drainage control;

C. Work which is a part of hydroelectric facilities constructed and operated under Federal Power Commission jurisdiction;

D. Minor or temporary work which will not, in the opinion of the enforcing officer, cause significant obstruction of or environmental damage to the watercourse on which the work is performed. (Prior code § 4601)

12.28.050 Bond required.

Prior to the issuance of a permit the applicant shall deposit with the enforcing officer for payment to the treasurer of the county, an amount deemed adequate by the enforcing officer but not exceeding the estimated total cost including all labor and materials, of the work to be performed; except that such deposit may be waived by the enforcing officer. In lieu of a cash deposit, the applicant may file an approved surety bond issued by a company or corporation authorized to engage in general surety business in the state of California. The conditions of any cash deposit or surety bond made pursuant to this chapter shall be that the permittee will diligently and in good faith comply with all provisions of this chapter, with all terms and conditions contained in the permit issued him and to pursue the work to completion without undue delay except for reasonable cause. Upon satisfactory and acceptable completion of the work as set forth in Section 12.28.100 B, the cash deposit shall be refunded to the permittee or the permittee shall be exonerated from his surety bond by the enforcing officer in writing upon the expiration of forty-five days. The enforcing officer shall not be responsible to ascertain whether there exist unsatisfied liens or other interests against the premises upon which the work was performed. (Prior code § 4619)

12.28.060 Permit—Application.

The enforcing officer shall prescribe and provide a standard form of application for a permit required by this chapter and such application, when duly executed and signed by the enforcing officer, shall become the permit. The application form shall state the property owner’s name, together with such details as in the opinion of the enforcing officer are necessary to establish the purpose of the act or work, except that the enforcing officer may, at his discretion, establish the date for completion. The application shall be executed by the property owner
or his duly appointed agent and deposited with the enforcing officer. (Prior code § 4611)

12.28.070 Permit—Application—Other documents.

The applicant shall enclose with, include, attach or add to the application for a permit a map, plat, sketch, diagram, or similar exhibit of a size and in such quantity as the enforcing officer may prescribe on which exhibit shall be plainly shown any and all information of a technical or engineering nature necessary to locate, delineate, illustrate, identify, justify and substantiate the proposed act or work, and the right and necessity of the applicant to perform the act or work. The enforcing officer may require to be submitted such supplemental engineering data as he may deem necessary and proper. If necessary, changes, corrections and notes may be made on any such exhibit and these items shall become an integral part of the permit when attested to by the enforcing officer. (Prior code § 4612)

12.28.080 Permit—Fees.

The fees for permits for the performance of acts or works under this chapter shall be those established and adopted by the board of supervisors from time to time by resolution. Such fees are not for inspection for compliance with the owner's specifications but only for compliance with the purposes of this chapter. Before a permit is issued, the applicant shall deposit with the enforcing officer, for payment to the treasurer of the county, a sufficient sum to cover the fee for issuance of the permit, in accordance with schedules established and adopted by the board of supervisors. No fee shall be required of public special districts. (Prior code § 4618)

12.28.090 Permit—Issuance.

The written permits required by this chapter shall be issued by the enforcing officer or his lawful appointee, for any lawful use, subject to conditions set forth in this chapter and as required by law. Permits may be issued subject to reasonable conditions related to the purposes of this chapter. The issuance of a permit shall in no manner whatsoever imply or impute a responsibility or liability on the part of the county or its employees for injuries resulting from any act, or condition prohibited by this chapter. No permit shall be necessary under this chapter if a permit has been issued for the entire work contemplated pursuant to the building inspection ordinance of this county. (Prior code § 4610)

12.28.100 Permit—Term.

A. The permittee shall begin the act or work authorized by a permit issued pursuant to this chapter within thirty calendar days, from date of issuance, unless another date is specifically indicated in the permit, and the permittee shall notify the enforcing officer at least forty-eight hours prior to beginning work if required by the enforcing officer. Should the act or work not be commenced on or before the date indicated in the permit, then the permit shall become void unless, prior to the date of expiration, the permittee presents good and sufficient reason for an extension of time and the date is
extended by the enforcing officer in writing. A permit which has become void by reason of noncommencement of work prior to the stipulated date may be renewed at the discretion of the enforcing officer and upon payment of a renewal fee as provided for in the schedule of fees adopted by the board of supervisors.

B. The permittee shall complete the act or work authorized by a permit issued pursuant to this chapter within the time and before the date stipulated in the permit. The permittee shall notify the enforcing officer in writing upon completion of any act or work, and no work shall be deemed to have been completed until such written notification has been received. A final inspection of the work shall be made by a representative of the enforcing officer, unless such inspection is waived by the enforcing officer, and no permittee shall be deemed to have complied with this chapter until such inspection has been performed or waived. (Prior code §§ 4613, 4614)

12.28.130 Notice of violation.
In the event of a violation of this chapter, and in addition to other penalties herein provided, the enforcing officer may send a written notice to the owner of the property on which the violation occurred at the address of the owner as it appears on the assessment roll of this county. The notice shall state the nature of violation, that the owner is required to abate the condition constituting the violation within ten days after the notice is received, and that if the owner fails to abate condition within said period, the condition may be abated by the enforcing officer and the owner shall be liable for the cost thereof. (Prior code § 4603 A)

12.28.140 Abatement by county.
If the condition is not abated by the owner in accordance with the notice, the enforcing officer, with approval of the board of supervisors, and after a reasonable opportunity for the owner to be heard, may abate the condition and shall charge the owner for the cost thereof. If this charge is not paid within sixty days, the amount of the charge, plus accrued interest at the rate of six percent per annum from the date of the charge, shall be added to the next regular tax bill sent to the owner by this county and shall be collected in the manner fixed by law for the collection of taxes, or the alternative, recovery therefor may be had through civil action. (Prior code § 4603 B)

12.28.150 Emergency abatement.
A. If the enforcing officer finds that a violation has created an emergency condition endangering the public health or safety and it is impossible or impractical
to notify the owner, he may abate the condition in accordance with Section 12.28.140 without giving the notice required by Section 12.28.130 and without a hearing. At the first regular meeting of the board of supervisors thereafter the enforcing officer shall submit a complete report of any emergency abatement.

B. The provisions of this section provide an alternative to any other remedy provided by law. (Prior code § 4603 C, D)

12.28.160 Emergency work authorized.

This chapter shall not prevent any person from performing emergency maintenance or work on land under his control within, upon, over, under or through any watercourse, channel, ditch, conduit or natural drainageway as may be necessary and proper for the preservation of life or property when an urgent necessity therefor arises. Any person performing emergency work that is subject to the provisions of Section 12.28.030 shall apply for a drainage permit therefor within ten calendar days of the beginning of the work. (Prior code § 4604)

12.28.170 Unsatisfactory performance—Surety bond to cover costs.

Should the work described in a permit be performed in such a manner as to be deemed unsatisfactory and or unacceptable by the enforcing officer, then the work shall be reconstructed by the permittee to the satisfaction of the enforcing officer. Should the enforcing officer deem that delay in pursuit or completion of the act or work be due to lack of diligence or wilful act on the part of the permittee, or should the work performed be deemed unsatisfactory and or unacceptable, then, if essential to the health, safety or welfare of the general public, the enforcing officer shall request the board of supervisors for authorization to contract with any licensed general contractor to complete, erect, install, reconstruct or alter all structures or work in conformance with the approved plans and specifications, or to remove all structures and obliterate all work not completed. The costs incurred hereby shall be repaid to the county by the deduction of such costs from the cash or surety bond deposited by the permittee with the county for the performance of the work; provided, further, that should such costs exceed in amount the total of the cash deposit or surety bond of the permittee, then any and all additional costs shall become a lien against the permittee's property, real and otherwise. If no bond has been posted, the enforcing officer may proceed with abatement in the manner provided in Section 12.28.140. (Prior code § 4615)

12.28.180 Appeal.

Any person aggrieved by the refusal of a permit or the terms of a permit required by this chapter may appeal to the board of supervisors. Appeals must be in writing and filed with the board within ten days after notification has been sent to or served upon the applicant. The board of supervisors shall, within twenty days after the filing of the appeal, hold a hearing on the appeal and shall mail notice in writing of the date thereof to the appellant and applicant at least five days before the hearing date. The decision of
the board of supervisors shall be rendered within ten days after the initial hearing date. (Prior code § 4620)
Chapter 12.32

PARKS

Sections:

12.32.010  Authority designated.
12.32.020  Definitions.
12.32.030  Director of public works—Authority to post signs and mark roads.
12.32.040  Group size limitation.
12.32.050  Speed limit.
12.32.060  Vehicle operation—Parking.
12.32.070  Obstructing pathways prohibited.
12.32.080  Depositing trash.
12.32.090  Dogs—Leash required—Liability.
12.32.100  Disturbing of animals prohibited.
12.32.110  Restroom restrictions.
12.32.120  Other prohibited acts designated.

12.32.010  Authority designated.

Unless otherwise specifically stated in this chapter, the responsibility for the development and maintenance of county parks shall rest with the director of public works, as well as such proprietary control as is required for the public good. (Prior code § 2001)

12.32.020  Definitions.

The terms set out in this section shall have the following meanings:

“County park” means an area designated by the board of supervisors as a county park, and shall lie upon ground owned or controlled by the county, and developed and maintained for the recreational use of the public by the county department of public works. For the purposes of Sections 12.32.040 through 12.32.120, but not Sections 12.32.010 through 12.32.030, the term “county park” shall also include the following parks: Clair Engle Park, Central Valley; Wynne Price Ball and Tennis Court, Central Valley; Akard Park, Pine Grove; Shasta Park, Central Valley; Blue Canyon Park, Central Valley; Bizz Johnson Ball Park, Summit City; Fountain, Islands and Bus Stop Park, Central Valley. (Prior code § 2000)

12.32.030  Director of public works—Authority to post signs and mark roads.

The director of public works is authorized and directed to post and maintain appropriate signs indicating the speed limit on drives and roadways within any county park as is necessary for the safety of the public, and to install appropriate signs and markings prohibiting parking of automobiles or other vehicles in places and areas in county parks when, in his determination, the parking will interfere with the safe or reasonable use of the county parks by others. The director of public works is hereby further authorized and directed to establish and install traffic paint markings within county parks where it is determined that such markings are necessary to eliminate hazards to pedestrians and motorists using county park drives and roads, and to install necessary warning signs and guide signs within the boundaries of county parks. (Prior code § 2002)
12.32.040  Group size limitation.
   Not more than twenty-five persons in one group shall hold or conduct any picnic, celebration, parade, service or exercise in any county park without the prior written permission of the director of public works, and no person shall take part in any picnic, celebration, parade, service or exercise held or conducted contrary to the provisions of this section. (Prior code § 2010)

12.32.050  Speed limit.
   The speed limit within the boundaries of any county park shall be fifteen miles per hour. (Prior code § 2017)

12.32.060  Vehicle operation—Parking.
   No person shall operate or park any automobile or other motor vehicle, including motorcycles, in any area within any public park in the unincorporated area of this county where such operation or parking is prohibited by the public authority operating said park and such restrictions are posted prominently at the park. (Prior code § 2018)

12.32.070  Obstructing pathways prohibited.
   No person or persons shall assemble, collect or gather together in any walk, driveway, passageway or pathway in any county park, or in any other place set apart for the travel of persons or vehicles in or through any county park, in such a manner that the free passage or use thereof by persons or vehicles passing along the same shall be obstructed. (Prior code § 2013)

12.32.080  Depositing trash.
   No person shall deposit, or cause to be deposited, any paper, fruit, rubbish, debris, trash or any waste material of any kind in any county park except in receptacles provided therefor. (Prior code § 2015)

12.32.090  Dogs—Leash required—Liability.
   No person having the control or care of any dog shall suffer or permit such dog to enter or remain in a county park unless it be led by a leash of suitable strength, not more than six feet in length, and the owner and the attendant shall be responsible for, and make good, any damage caused in any event by such dog, even if on leash. (Prior code § 2011)

12.32.100  Disturbing of animals prohibited.
   No person shall hunt, pursue, annoy, throw stones or missiles at, or molest or disturb in any way, any animal or bird within the confines of any county park. (Prior code § 2014)

12.32.110  Restroom restrictions.
   No male person over eight years of age shall enter or use any toilet or restroom designated for women in a county park. (Prior code § 2012)

12.32.120  Other prohibited acts designated.
   Within the limits of any county park, no person shall do any of the acts hereinafter specified:
   A. Lead, ride, drive or let loose any cattle, mule, goat, sheep, swine, dog or
fowl of any kind; provided, that this shall not apply to dogs when led by a cord or chain not more than six feet long;

B. Carry or discharge any firearms, firecrackers, rockets, torpedoes or any other fireworks, airgun, slingshot, or bow and arrow;

C. Cut, break, injure, deface or disturb any tree, shrub, plant, rock building cage, pen, monument, fence, bench or other structure, apparatus or property; or pluck, pull up, cut, take or remove any shrub, bush, plant or flower; or mark or write upon any building, monument, fence, bench or other structure; or carry any flowers, shrubs or branches into or through any county park;

D. Cut or remove any wood, turf, grass, soil, rock, sand or gravel;

E. Distribute any handbills or circulars, or post, place or erect any bills, notice, paper or advertising device or any matter of any kind;

F. Make or kindle a fire for any purpose, except at places provided for such purpose;

G. Ride or drive any horse or other animal, or propel any vehicle, cycle or automobile elsewhere than on the roads or drives provided for such purpose;

H. Indulge in riotous, boisterous, threatening, indecent or immoral conduct, or abusive, threatening or profane language, or throw stones or missiles;

I. Sell or offer for sale any merchandise, article or thing whatsoever, without the prior written permission of the director of public works;

J. Hitch or fasten any horse or other animal except at a place specially designated and provided for such purpose;

K. Ride or drive any horse or animal not well broken and under perfect control of the driver;

L. Play or bet at or against any game which is played, conducted, dealt or carried on with cards, dice or other device for money, chips, shell, credit or any other representative of value; or maintain or exhibit any gambling table or other instrument of gambling or gaming;

M. Practice, carry on, conduct or solicit any trade, occupation, business or profession without the prior written permission of the director of public works;

N. Remain, stay, camp, lodge, or loiter in any county park between the hours of twelve midnight and five a.m. of the following day, except that camping may be permitted at parks designated by the board as camping areas and so posted by appropriate signs to be installed by the department of public works;

O. Open, expose or interfere with any water or gas pipe, hydrant, stopcock, sewer, basin or other construction in any county park;

P. Let loose or allow to remain unattended any horse, except that a horse may be hitched or fastened at a place designated and provided for such purpose. (Prior code § 2016)
Chapter 12.36
SNOW REMOVAL

Sections:

12.36.010 Unattended vehicle.
12.36.020 Removal of vehicle.
12.36.030 Signs.

12.36.010 Unattended vehicle.
It shall be unlawful for any person to park or leave unattended any vehicle upon the right-of-way of any county road at any time and in any manner which will obstruct, delay, hinder, or otherwise inconvenience the county and its officers and employees in snow removal operations.
(Ord. No. 94.6, § 1, 12-6-1994)

12.36.020 Removal of vehicle.
It shall be the right and duty of such officers and employees, or any other person so authorized by Vehicle Code Section 22651, during snow removal operations, or in preparing for such snow removal, to remove or cause to be removed any such vehicle so parked or left unattended on any county road and to store same, or cause it to be stored, at the expense of the owner in charge thereof.
(Ord. No. 94.6, § 1, 12-6-1994)

12.36.030 Signs.
The provisions of Sections 12.36.010 and 12.36.020 shall be effective only upon those streets and highways upon which are erected appropriate signs in accordance with the California Vehicle Code.
(Ord. No. 94.6, § 1, 12-6-1994)