



CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk
200 East Santa Clara Street
San José, California 95113
Telephone (408) 535-1260
FAX (408) 292-6207

City Clerk

STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA)
CITY OF SAN JOSE)

I, Lee Price, City Clerk & Ex-Officio Clerk of the Council of and for the City of San Jose, in said County of Santa Clara, and State of California, do hereby certify that "**Ordinance No. 28751**", the original copy of which is attached hereto, was passed for publication of title on the **15th day of June, 2010**, was published in accordance with the provisions of the Charter of the City of San Jose, and was given final reading and adopted on the **22nd day of June, 2010**, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, HERRERA, KALRA, LICCARDO,
NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: CONSTANT.

DISQUALIFIED: NONE.

VACANT: NONE.

Said ordinance is effective as of **23rd day of July, 2010**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San Jose, this **28th day of June, 2010**.

(SEAL)

LEE PRICE, MMC
CITY CLERK & EX-OFFICIO
CLERK OF THE CITY COUNCIL

/rmk

ORDINANCE NO. 28751

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING
SECTION 11.12.050 OF CHAPTER 11.12 OF TITLE 11 OF
THE SAN JOSE MUNICIPAL CODE TO AUTHORIZE THE
CITY MANAGER TO APPOINT PERSONS AUTHORIZED
TO DIRECT TRAFFIC**

WHEREAS, this Ordinance has been determined not to be a project for purposes of the California Environmental Quality Act of 1970, as amended;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

Section 11.12.050 of Chapter 11.12 of Title 11 of the San José Municipal Code is amended to read as follows:

11.12.050 Persons Authorized to Direct Traffic

No person other than one of the following persons is authorized to direct traffic by voice, hand or signal:

- A. An officer of the Police Department.
- B. An officer of the Fire Department as part of a response to a fire or other emergency.
- C. A person deputized by the Chief of Police to direct traffic.
- D. A person who the Chief of Police temporarily or permanently appoints to perform traffic control in accordance with the requirements of Subdivision (e) of California Vehicle Code Section 21100, as it may be amended.

- E. A person who the City Manager temporarily or permanently appoints to perform traffic control in accordance with the requirements of Subdivision (e) of California Vehicle Code Section 21100, as it may be amended.

- F. A person trained or certified as a flagger in accordance with the requirements of Section 1599 of Title 8 of the California Code of Regulations, as it may be amended, if one of the following conditions exists:
 - 1. The City authorized the use of such flagger in the construction contract, encroachment permit or other document pursuant to which construction or maintenance work is occurring; or

 - 2. The person is a City employee performing construction or maintenance work.

- G. Any other person authorized by law to direct traffic.

PASSED FOR PUBLICATION of title this 15th day of June, 2010, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, HERRERA, KALRA,
LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: CONSTANT.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:



LEE PRICE, MMC
City Clerk