

RESOLUTION 25/26-10

A RESOLUTION OF THE BOARD OF DIRECTORS OF BEAR VALLEY COMMUNITY SERVICES DISTRICT PETITIONING KERN COUNTY BOARD OF SUPERVISORS TO ADOPT A RESOLUTION FINDING THE ROADS IN BEAR VALLEY COMMUNITY SERVICES DISTRICT WILL BE BEST SERVED BY THE APPLICATION OF THE CALIFORNIA VEHICLE CODE TO THOSE ROADS

WHEREAS, the district operates and maintains a gate for the purposes of limiting access to only landowners, residents and authorized visitors; and

WHEREAS, Government Code section 61105(g) permits the District to limit access to roads owned by the District that are not formally dedicated to or kept open for use by the public; and

WHEREAS, Vehicle Code 21107.7(c) defines a "privately owned and maintained road" to include roads owned and maintained by a city, county, or district that are not dedicated by the public or are not generally held open for use of the public for purposes of vehicular travel; and

WHEREAS, because the District operates a gate for the purposes of restricting access to the District, the roads in the District are not generally held open for the use of the public, thereby meeting the definition of a "privately owned and maintained road"; and

WHEREAS, California Vehicle Code section 21107.7(b) does not require the enforcement of the California Vehicle Code on any privately owned and maintained road, unless certain actions are taken under California Vehicle Code section 21107.7(a); and

WHEREAS, California Vehicle Code section 21107.7(a) provides: "[a]ny city or county may, by ordinance or resolution, find and declare that there are privately owned and maintained roads as described in the ordinance or resolution within the city or county that are not generally held open for use of the public for purposes of vehicular travel but, by reason of their proximity to or connection with highways, the interests of any interests of any residents residing along the roads and the motoring public will best be served by application of the provisions of this code to those roads. No ordinance or resolution shall be enacted unless there is first filed with the city or county a petition requesting it by a majority of the owners of any privately owned and maintained road, or by at least a majority of the board of directors of a common interest development that is responsible for maintaining the roads."

WHEREAS, the Board of Directors believes that the District would best be served by the application of the California Vehicle Code to its roads because of its proximity to and connection with the highways and for the safety of residents residing along the roads; and

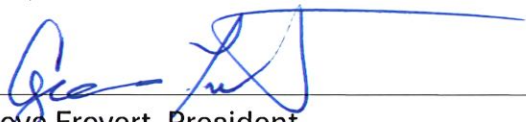
WHEREAS, the Board of Directors by this resolution hereby petitions the Kern County Board of Supervisors to by resolution find and declare that the District maintains privately owned and maintained roads that are not generally held open for use of the public for purposes of vehicular travel, but by reason of their proximity to or connection with highways, the interests of any residents residing along the roads and the motoring public will best be served by the application of the California Vehicle Code to the District's roads.

NOW, THEREFORE, BE IT RESOLVED THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT adopt Resolution 25/26-XX petitioning the Kern County Board of Supervisors to adopt a resolution finding the roads of Bear Valley Community Services District will best be served by the application of the California Vehicle Code to those roads.

BE IT FURTHER RESOLVED, the Board of Directors does authorize the General Manager of the District to transmit this resolution to Kern County to serve as a petition under California Vehicle Code 21107.7(a).

PASSED, APPROVED AND ADOPTED on September 11, 2025, by the following vote:

AYES:	Lewis, Tabor, Hernandez, Paparella, Frevert
NOES:	None
ABSENT:	None
ABSTAIN:	None



Geva Frevert, President
Bear Valley Community Services District

ATTEST:

I hereby certify that the above Resolution No. 25/26-10 was duly introduced, read, and adopted by the District at a regularly noticed meeting held on September 11, 2025.



Denise Jelleschitz,
Secretary of the Board of Directors

