

ORDINANCE NO. 271**AN ORDINANCE ESTABLISHING VIEWSHEDS, REGULATIONS THEREFOR AND A PENALTY FOR A VIOLATION THEREOF**

The City of Coos Bay ordains as follows:

Section 1. Definitions.

Empire District: The Empire Urban Renewal District, as established by the 1995 Empire Urban Renewal Plan.

Person: Any individual, partnership, association, corporation or other legal entity or entity-in-fact.

The Empire Plan: The 1995 Empire Urban Renewal Plan, as approved by Coos Bay City Ordinance No. 216.

Viewshed: A street, sidewalk, and public right-of-way which has been subject to urban or affected by redevelopment activity pursuant to an urban renewal plan and designated as a viewshed by the Coos Bay City Council.

Section 2. Findings.

(a) Pursuant to ORS 457.320, a municipality may exercise any of its powers otherwise provided by law to assist an urban renewal agency in the carrying out of an urban renewal plan.

(b) The purpose of the urban redevelopment activity undertaken in urban renewal districts in the City of Coos Bay by the Urban Renewal Agency for the City of Coos Bay is to encourage economic redevelopment of the urban renewal districts by the elimination of urban blight.

(c) For the purposes of this ordinance, urban blight includes unregulated private and commercial activity occurring in public rights-of-way which detracts from the appearance of the urban renewal district.

(d) To eliminate urban blight and thereby encourage economic redevelopment, the City of Coos Bay finds it is necessary to establish viewsheds and reasonable regulations for private and business activity in and along streets, sidewalks and public rights-of-way in any viewshed established by this ordinance.

Section 3. Establishment of Viewsheds. The City Council may, by ordinance designate areas located within urban renewal districts as viewsheds to be regulated by this ordinance.

Section 4. Establishment of Empire Area Viewshed. The street, sidewalks and all public rights-of-way lying along Newmark Avenue between the intersection of Newmark Avenue and Cammann Street and the intersection of Newmark Avenue and Empire Boulevard, and all intersecting streets, sidewalks and public rights-of-way for a distance of one block to the north and one block to the south of Newmark Avenue between Cammann Street and Empire Boulevard is hereby designated as the Empire Area Viewshed.

Sections 5-9 Reserved for Expansion

Section 10. Regulation of Viewshed.

(a) Except as otherwise provided by this ordinance, no person shall place or offer for sale, or allow to be placed or offered for sale, any merchandise, goods, or other personal property within any viewshed.

(b) Nothing in this ordinance shall be construed to prohibit the temporary parking of automobiles, trucks, bicycles or motorcycles within any viewshed, or to prevent the display of merchandise, goods or other personal property in any window of any building located within any viewshed.

Section 11. Penalty. Violation of, or failure to comply with any provision of this ordinance, is punishable by a fine of not less than \$250.00 and not more than \$1,000.00. Each violation is a separate offense, and if the violation is of a continuing nature, each and every day the violation continues shall be a separate offense.

Section 12. Emergency Declared. The City Council of the City of Coos Bay finds that the health, safety and welfare of the City of Coos Bay requires this ordinance to have immediate effect. Therefore, the City Council hereby declares the existence of an emergency and this ordinance shall be in full force and effect from the time of its passage and approval.

Passed by the City Council and approved by the Mayor on April 20, 1999.