

ORDINANCE NO. 84**AN ORDINANCE REGULATING CONSTRUCTION OF SERVICE DRIVEWAY ACCESS; PROVIDING A PENALTY; AND REPEALING ORDINANCE NO. 1395, AS AMENDED.**

The City of Coos Bay ordains as follows:

Section 1. Intent. The restriction of property access and the regulation of the access construction is necessary to:

- (1) Protect pedestrians by limiting the number of vehicle/pedestrian conflicts and by achieving a relatively uniform, safe walking surface.
- (2) Conserve the maximum amount of on-street parking space.
- (3) Clearly define traffic flow onto streets.
- (4) Ensure proper sidewalk and street drainage by the design of the access.
- (5) Increase the life of the access area by construction standards which can handle the vehicular load.

Section 2. Definitions. As used in this ordinance, unless the context requires otherwise:

Service driveway. Any area of public right-of-way serving as access to private property from an opened, dedicated public street or alley.

Section 3. Permit Required. It shall be unlawful to construct, maintain or close any service driveway without securing a permit from the city of Coos Bay.

Section 4. Application for Permit. An application for permit shall be filed in writing with the Community Development Department showing the exact location of the access, the width of the access, the length of the driveway within the right of way, and the type of construction, The application shall be forwarded to and approved by the Public Works Department.

Section 5. Fee. The fee for service driveway permits shall be set by resolution of Council.

Section 6. Standards. Approval of the application, including width of access, shall be consistent with the intent of this ordinance and to allow reasonable use of the property served by such driveway, The service driveway shall in no event extend beyond the property lines of the owner requesting access.

Section 7. Sidewalk Maintenance. No permit shall be granted unless the property owner constructs a concrete apron and/or maintains that portion of the existing sidewalk which will be used as a driveway according to the specifications and under the direction of the city engineer. Should the owner permit the driveway to become dangerous to the public for any reason, then the Council may revoke any permit outstanding, with or without notice to the owner.

Section 8. Unused Service Driveway Access. The curb cuts for unused service driveway accesses

shall be restored at the expense of the abutting property owner within one year.

Section 9. Enforcement. Violation of a provision of this ordinance is punishable by a fine not to exceed \$500.00, Each day's violation shall constitute a separate punishable offense.

Section 10. Abatement. Failure to comply with any of the provisions herein shall cause the service driveway to automatically constitute a public nuisance, and it may be abated pursuant to the procedure set forth in the general nuisance ordinance.

Section 11. Repeal. Ordinance No, 1395, enacted April 4, 1935, as amended by Ordinance No. 2527, enacted August 28, 1972, is repealed.

Passed by the Council and approved by the Mayor June 23, 1986.