

Title 12

STREETS AND SIDEWALKS

Chapters:

- 12.01 Street, Sidewalk & Appurtenant Facilities Standards
- 12.04 Building Numbering (repealed by Ord. 272, 1995)
- 12.08 Grid System
- 12.12 Address Numbering
- 12.16 Designation of Streets and Roads
- 12.20 Violations and Penalties
- 12.24 Right of Way and Easements

Chapter 12.01

Street, Sidewalk & Appurtenant Facilities Standards

Section:

- 12.01.010 Adoption of Street, Sidewalk and Appurtenant Facilities Standard
- 12.01.020 Street, Sidewalk and Appurtenant Facilities Construction
- 12.01.030 Definitions
- 12.01.040 Duty to Maintain and Clear Sidewalk
- 12.01.050 Liability for Sidewalk Injuries
- 12.01.060 Standards and Specifications
- 12.01.070 Notice to construct, alter or repair sidewalk
- 12.01.080 City May Construct, Alter or Repair Sidewalk
- 12.01.090 Assessment for Sidewalk work done by City
- 12.01.100 Lien Docket, Interest
- 12.01.110 Penalty

12.01.010 Adoption of Street, Sidewalk and Appurtenant Facilities Standard. The City of Sisters does hereby adopt the regulations and standards set forth in the public works construction standards for the City of Sisters Publication dated November 11, 1999. (Ord.231, 1990)(Ord.239 §17,1991, amended Ord. 250, 1992; amended Ord 297, 1999; amended by Ord 298, 1999, amended by Ord 325, 2001.)

12.01.020 Street, Sidewalk and Appurtenant Facilities Construction. All construction of streets, sidewalks and appurtenant facilities within the City of Sisters shall be in conformance with the regulations and standards set forth in the publication entitled "Public Works Construction Standards for the City of Sisters" dated November 11, 1999 and as may be amended hereafter. Public work standards may be obtained from City Hall upon request at a fee established by the City Council.

(Ord. 231, 1990; Amended by Ord 297, 1999; Amended by Ord 298, 1999, amended by Ord 325, 2001.)

12.01.030 Definitions.

- (1) Person. A natural person, firm, corporation, or other legal entity.
- (2) Sidewalk. The part of the street right-of-way between the curblines or the lateral lines of the roadway and the adjacent property lines, including any culvert located in such part of the street that is intended for the use of pedestrians.
- (3) Safe Condition. Includes being free of snow, ice, or any obstruction.

12.01.040 Duty to Maintain and Clear Sidewalks. It is the duty of an owner or occupant of land adjoining a street to maintain in good repair, and remove obstructions from the adjacent sidewalk. Provided, however, that the City of Sisters shall not be obligated to remove signs, utility structures, including fire hydrants, and similar objects that have been placed by the City in the sidewalk.

12.01.050 Liability for Sidewalk Injuries.

- (1) The owner of real property abutting a sidewalk shall be liable to any person injured because of failure by the owner to maintain the sidewalk in good repair or safe condition.
- (2) If the City is required to pay damages for an injury to any persons or property caused by the failure of an owner or occupant to maintain a sidewalk in good repair or safe condition, the owner or occupant shall reimburse the City for the amount of the damages thus paid, and the attorney fees and costs of defending against the claim for damages. The City may maintain an action in a court of competent jurisdiction to enforce the provisions of this section.
- (3) It is not necessary for the City to have notified the owner of real property abutting the sidewalk that the sidewalk needs construction, alteration, repair or removal of obstructions, in order for the owner of real property abutting the sidewalk to incur liability for sidewalk injuries.

12.01.060 Standards and Specifications. Sidewalks shall be constructed, altered, and repaired in accordance with Section 12.01.020.

12.01.070 Notice to Construct, Alter, or Repair Sidewalk.

- (1) When the Council determines that a sidewalk needs construction, alteration, or repair, it shall be resolution direct the Administrator to issue a notice.
- (2) The notice shall require the owner or occupant of the property abutting the sidewalk to complete the work within 30 days after service of notice. The notice shall also state that if the work is not completed by the owner or occupant within the 30 days, the City may

complete the work and assess the cost against the property by abutting the sidewalk.

(3) The Administrator shall cause a copy of the notice to be served personally upon the owner or occupant of the property abutting the sidewalk, or the notice may be served by registered or certified mail, return receipt requested. If after diligent search the owner or occupant is not discovered, the Administrator shall cause a copy of the notice to be posted in a conspicuous place on the property, and such posting shall be considered to have the same effect as personal service of notice upon the owner of the property.

(4) The person serving the notice shall file with the Administrator a return of service, reciting the time, place, and manner of service. A mistake in the name or address of the owner, agent or occupant does not render the notice void, but in such case the posted notice shall be sufficient.

12.01.080 City May Construct, Alter, or Repair Sidewalk. If the sidewalk alteration or repair is not completed within 30 days after service of the notice, the Administrator may cause the repairs to be made. Upon completion of such a project, the Administrator shall submit a report to the Council containing an itemized statement of costs.

12.01.090 Assessment for Sidewalk Work Done by City. Upon receipt of the report, the Council, by ordinance, shall assess the cost of the work against the property adjacent to the sidewalk. The assessment shall be a lien against the property and may be levied and collected in the same manner as is provided for the collection of assessments for local improvements. The lien shall be superior and prior to all other liens or encumbrances on the property insofar as the laws of the state permit.

12.01.100 Lien Docket; Interest. The Recorder shall maintain a repair lien docket and enter all liens provided for in Section 12.01.090. The liens shall bear interest at the statutory rate beginning 15 days after the date that notice of assessment is mailed.

12.01.110 Penalty. Violation of a provision of this ordinance is punishable by a fine not to exceed \$500. Each day's violation shall constitute a separate punishable offense. (Ord.239 §17,1991, amended Ord. 250, 1992.)

Chapter 12.08

GRID SYSTEM

Sections:

12.08.010	Address
12.08.020	City Grid System
12.08.035	Cul-de-sac or dead end
12.08.040	Dwelling
12.08.045	East/West road
12.08.050	Grid lines
12.08.055	Initial north/south line
12.08.060	Initial east/west line
12.08.065	North/South road
12.08.070	Private road
12.08.075	Public road
12.08.080	Structure

12.08.010 Address.

(1). Address shall consist of a number and a road name. This address shall be determined at the location where the access driveway intersects a county road, public way or private road. The address assigned to any empty lot shall be based on the most probable access location.

(2). Addresses shall end in an even number on the North and East sides of a road and shall end in an odd number on the South and West sides of a road.

12.08.020 City Grid System.

(1). City Grid System means a coordinate system for address numbering which covers all lands within unincorporated Deschutes County.

(2). The address numbers in the grid system shall increase as they traverse in the cardinal directions from the intersection of Elm and Cascade Streets.

12.08.035 Cul-de-sac or dead end. "Cul-de-sac" or "dead end street" means a short street having one end open to traffic and terminated by a vehicle turnaround. (Ord. 89-010 § 1, 1989)

12.08.040 Dwelling. "Dwelling" means a building or portion thereof designed or used as the residence or sleeping place for one or more persons.

12.08.045 East/West road. "East/West road" means a road that runs predominately East and West. Roads that lie predominately at an angle greater than 45 degrees from due North or due

South shall be numbered as East/West roads.

12.08.050 Grid lines. "Grid lines" are a part of the City Grid System and run West to East and South to North for the entire width and length of the city. These lines are used as reference points to determine the numerical portion of an address that is assigned to dwellings or other structures.

12.08.055 Initial north/south line. "Initial north/south line" means Cascade St.

12.08.060 Initial east/west line. "Initial east/west line" means Elm St.

12.08.065 North/South road. "North/South road" means a road that runs predominantly North and South. Roads that lie predominantly at an angle less than 45 degrees from due North or due South shall be numbered as North/South roads.

12.08.070 Private road. "Private road" means a private right of way created by a recorded easement or other instrument, not dedicated to or accepted by the city or other public body, and not designated as part of the city road maintenance system.

12.08.075 Public road. "Public road" means a road over which the public has a right of use that is a matter of public record.

12.08.080 Structure. "Structure" means anything constructed or built, any edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, which requires location on the ground or is attached to something having a location on the ground.

Chapter 12.12

ADDRESS NUMBERING

Section:

- 12.12.010 Address number assignment authority
- 12.12.020 Procedures and standards for assigning new address
- 12.12.030 Procedures and standards for changing existing address numbers
- 12.12.040 Posting of address numbers

12.12.010 Address number assignment authority.

(1). City of Sisters, through its Planning Department, shall have the authority to and shall assign address numbers to vacant lots, dwellings and other structures requiring addresses as provided by this chapter.

(2). The City, through its Planning Department, shall have the authority to and shall change existing address numbers under the standards set forth in this chapter.

12.12.020 Procedures and standards for assigning new address numbers. The procedures for assigning new address numbers are as follows:

(1). When a building permit is issued for a new dwelling or other structure on a lot or parcel that does not have an address, the planning department shall assign an address number based on the street location of the structure's access and its location in the City Grid System.

(2). A new dwelling or structure with its access point on a North/South road will be assigned an address number based on its relationship to the grid system and where the access meets the road.

(3). A new dwelling or structure with its access point on an East/West road will be assigned an address number based on its relationship to the grid system and where the access meets the road.

(4). A new dwelling or structure with access on a North/South road will have an even address number assigned to it if it is on the East side of the road, and an odd address number assigned to it if it is on the West side of the road.

(5). A new dwelling or structure with access on an East/West road will have an even address number assigned to it if it is on the North side of the road, and an odd address number assigned to it if it is on the South side of the road.

(6). The numbers assigned to new dwellings or structures shall increase sequentially leaving the intersection of Elm and Cascade Streets in the cardinal directions.

(7). New dwellings or structures on cul-de-sacs shall be numbered in a consecutive alternating sequence with even and odd numbers.

(8). New dwellings or structures on circles or loops shall be numbered.

(9). Each new single-family dwelling shall have one address number.

(10). New duplexes, triplexes and four-plexes shall be given an address number for each living unit.

(11). New apartment complexes, mobile home parks and other multi-unit complexes shall be given an address number as one dwelling. The owner of each such multi-unit establishment shall assign unit address numbers in a manner that is acceptable to the Planning Department.

12.12.030 Procedures and standards for changing existing address numbers. The provisions of section 12.12.020 of this chapter shall apply. In addition, the following procedures and standards shall apply to the changing of existing address numbers.

(1). The changing of an existing address number may be initiated by the Planning Department, or by application by the property owner or any public agency that may be affected by the address number.

(2). All changes in address numbers shall conform to the City Grid System and the standards for address numbers set forth in section 12.12.020 of this chapter. Any application or proposed change not in conformance with these standards shall be denied.

(3). An existing address number may be changed by the Planning Department if it is not in conformance with the City Grid System and the standards for address numbers set forth in section 12.12.020 of this chapter.

Proposed address number changes shall be carried out pursuant to the procedures set forth in subsections (F) through (I) of section 12.12.030 of this chapter.

(4). An application to change an address number shall be made to the Planning Department and shall include, at a minimum, the following:

- a. name of applicant;
- b. location of dwelling or structure;
- c. existing address number;
- d. reason for address number change; and
- e. fee, if any, as established by the City.

(5). The Planning Department shall evaluate any proposed change to determine whether it conforms to the standards set forth in section 12.12.020 of this chapter. If it does not, the application shall be denied. If the Planning Department determines that the application is consistent with the standards set forth in section 12.12.020 of this chapter, it shall proceed consistent with the procedures set out in subsections (F) through (I).

(6). Notice of a proposed address number change shall be provided to the property owner and occupant. The notice shall inform the property owner and occupant of the city's intent to change the subject address 30 days from the date of the notice and the reason for the change. The property owner and occupant shall be given 10 days from the date of the notice to comment in writing on the proposal.

(7). The proposed address change shall become effective 30 days from the date of the notice provided for in subsection (F) of this section, unless the city determines from the comments received in response to the notice provided under subsection (F) that the proposed change does not conform to the standards set forth herein.

(8). Within 10 days of receipt of timely comments, notice shall be sent to commenting owners or occupants informing them of whether the proposed address number change was corrected in response to their comments. In cases where proposed address number changes are corrected in response to comments, the corrected address number shall become effective as of the effective date proposed in the original notice of proposed address change, unless the corrected address is the address already in use by the owner or occupant.

(9). The Planning Department shall notify the offices of the County Clerk, County Assessor, Public Works Department, Postmaster and any affected public safety departments of a changed address number within 30 days of the date the new number becomes effective. In addition, on a monthly basis, the Planning Department shall publish a list of changed address numbers in a newspaper of general circulation designated for the purpose by the City.

12.12.040 Posting of address numbers.

(1). General Requirements.

(a) Such address numbers shall be permanently affixed in a location on the property that is clearly visible from the road used as the basis for numbering. The numbers shall not be less than three inches in height, shall be made of light reflective material which shall be affixed to the dwelling or structure, and shall comply with zoning or other ordinance standards for signs.

(b) In cases where the dwelling or structure is not visible from the access road and where the mailbox is not located at the end of the access driveway, the applicable fire district or emergency services agency, if any, shall be contacted to determine another location for address display so that emergency vehicles can quickly locate the house or building.

(c) All construction sites or structures under construction shall display a street

address number. The numbers as displayed shall conform to the requirements subsections B and C of this section, except that the numbers may be affixed to a sign visible from the road used as the basis for numbering.

(d) Every owner or commercial lessee of any structure shall be responsible for having the address number displayed thereon in conformance with the requirements of subsection (A) of this section.

(2) Assigned or Changed Address Numbers. Address numbers assigned or changed by the city under this chapter shall comply with the requirements of this subsection in addition to the requirements of subsection 1 of this section.

(a) Address numbers assigned or changed by the county must be displayed within 30 days from the date on which construction begins or on which the address becomes effective, as provided in section 12.12.030(G), except that address numbers assigned to sites with new construction shall be displayed from the start of construction on site.

(b) Address numbers assigned by the county to structures erected after the effective date of this title must be permanently displayed before occupancy or use. At the time of final inspection of a new structure, the Building Official or his designee shall verify that assigned address numbers have been affixed as required above.

(c) Every owner or commercial lessee shall be responsible for ensuring that the address number as assigned or changed by the county is displayed in accordance with the requirements of subsection (B) of this section.

(3) Failure to display an address number in conformance with the requirements set forth in this section, or the display of an address number other than one assigned or changed in accordance with the provisions of this chapter, shall be a violation.

Chapter 12.16

Designation of Names of Streets and Roads

Section:

- 12.16.010 Road naming authority
- 12.16.020 Unnamed roads
- 12.16.030 Procedures for naming new roads
- 12.16.040 Procedures and standards for changing existing road names

12.16.010 Road naming authority.

- (1). City of Sisters, through the Planning Department, shall have the authority to and shall assign road names to roads requiring names as provided in this chapter.
- (2). The city, through its Planning Department, shall have the authority to and shall change existing road names under the standards set forth in this chapter.

12.16.020 Unnamed roads.

All unnamed public and private roads and other roadways which provide access to three or more tax lots, or which are more than 1,320 feet in length, shall be assigned a name in accordance with the procedures in section 12.16.030 of this chapter.

12.16.030 Procedures for naming new roads.

- (1). Application.
 - (a) The naming of a road may be initiated by the Planning Department, Planning Commission, the Council, or by application of adjacent property owners, developers, or public agencies which may be affected by road names.
 - (b) An application to name a road shall be submitted to the Planning Department and shall include, at a minimum, the following:
 - (A) name of applicant;
 - (B) location of road by description and/or map;
 - (C) legal status of road, if known;
 - (D) proposed road name, with two alternate proposed names;
 - (E) reason for name request;
 - (F) petition(s) attached, if any, and
 - (G) fee, if any, as established by the City Council.

(2). Notice of a proposed name assignment shall be sent to all persons owning property abutting the affected road or having an address on the affected road. Such notice shall be sent within 10 days of the receipt of an application, if any, or other action initiating the proposed road name assignment.

(3). Persons receiving notice under paragraph (B) of this section shall promptly notify any tenants or other occupants of the affected property of the proposed name assignment.

(4). Any person receiving notice under paragraph (B) above may comment in writing on the proposed name within 10 days from the date of the notice.

(5). Standards.

(a) General. The proposed road name shall:

- (A) Be limited to a maximum of two words.
- (B) Not duplicate existing road names, except for continuations of existing roads.
- (C) Not sound so similar to other roads as to be confusing.
- (D) Not use compass directions such as North, East, South, etc., as part of the road name.
- (E) Not use designations such as Loop, Way, Place, etc., as part of the road name.
- (F) Improve or clarify the identification of the area.
- (G) Use historical names, when possible.
- (H) Reflect a consensus of sentiment of affected owners and occupants, when possible, subject to the other standards contained in this subsection.

(b) Particular Roads. The proposed road name shall also conform to the following standards:

- (A) North/South roads shall be called "roads" or "streets."
- (B) East/West roads shall be called "avenues."
- (C) Roads dead-ending in a turnaround 1,000 feet or less from their beginning points shall be called "courts."
- (D) Roads of reduced right of way or curving roads of less than 1,000 feet shall be called "lanes" or "terraces."
- (E) Curving roads longer than 1,000 feet shall be called "drives" or "trails."
- (F) Roads that deviate slightly from the main course of a road with the same name, and are less than 1,000 feet in length, shall be called "places."
- (G) Roads that are four lanes or more shall be called "boulevards."
- (H) Historical roads may be called "market" roads.
- (I) Roads running at oblique angles to the four points of the compass, less than 1,000 feet in length, shall be called "ways." (See Appendix "D," attached

hereto.)

(J) Roads that begin at and circle back onto the same road, or that are circular or semicircular, shall be called "circles" or "loops."

(6) Staff Review and Road Name Assignment. The Planning Department shall review road name applications and shall assign road names under the following procedure:

(a) Verify legal status of road with the County Clerk's office and Public Works Department.

(b) Check proposed road name(s) to avoid duplication or confusing similarity with other existing road names, with those on approved preliminary land divisions and with those approved for future use.

(c) Perform a field check, when necessary.

(d) Assist the applicant or other affected person(s) to find alternate names when required.

(e) Notify appropriate persons, departments and agencies of the road name application, and request comments.

(f) Review and consider all comments submitted.

(g) Assign a road name in accordance with the standards set forth in paragraph (E) above.

(7) Notice of Staff Decision. Following assignment of a road name by the Planning Department, notice of the road name assignment shall be sent to all persons entitled to notice under subsection (B) of this section.

(8) Appeal. Affected property owners and occupants shall have the right to appeal the assignment of a road name by the Planning Department. Such appeals shall be conducted in accordance with the provisions of the City of Sisters Zoning Procedures Ordinance, except where the provisions of this subsection conflict with the procedures ordinance, in which case the provisions of this subsection shall apply. Affected property owners and occupants shall have 10 days from the date of the staff decision in which to file an appeal. Issues on appeal shall be limited to whether the Planning Department correctly applied the criteria set forth herein.

(9) A road name assignment becomes final when no further right of appeal established herein is possible. Within 10 days of the road name assignment becoming final, the City shall sign an order establishing the road name as assigned by the Planning Department.

(10) The affected property owners and occupants shall have 180 days from the date of

the council order of road name assignment to begin using the road name.

(11) Notice of Decision. Following the order of the council naming a road, the planning department shall:

(a) Notify the applicant requesting the road name of the action; and

(b) Send copies of the order naming the road to the following:

(A) Public Works Department.

(B) Assessor's Office and Tax Office.

(C) Postmaster.

(D) County Clerk's Office.

(E) Affected telephone and other utilities.

(F) Affected fire department(s).

(G) Local school district(s).

(H) Emergency services, i.e., police, fire, 911, etc.

(c) File the original order naming a road with the County Clerk.

(d) On a monthly basis, the Planning Department shall publish a list of changed road names in a newspaper of general circulation designated for the purpose by the City.

12.16.040 Procedures and standards for changing existing road names.

The following procedures and standards shall apply to the changing of existing road names:

(1) An existing road name may be changed by the Planning Department if the existing name:

(a) Duplicates a pre-existing road name within the same postal zip code or geographic area;

(b) Sounds like or is spelled so similarly to a pre-existing road name in the same postal zip code or geographic area as to cause confusion between the two roads;

(c) Is known by more than one name;

(d) Is different than the name of the road of which it is a continuation; or

(e) Is not consistent with county road naming standards set forth in this chapter.

(2) In choosing which road name to change as between two or more roads with the

same or similar names (affected roads), the department shall consider the following factors:

(a) The number of properties, developed and undeveloped, abutting each affected road;

(b) The length of time a name has been in use to designate each affected road and whether the name used to designate each road has any historic significance;

(c) Whether one affected road as named is relatively better known by the general public than the other affected road or roads as named;

(d) Any showing that a proposed road name change would be relatively more burdensome to abutting property owners than if another affected road name were changed.

(3) Proposed name changes shall proceed under the process specified under section 12.16.030 of this chapter.

Chapter 12.12

Violations and Penalties

Section:

12.20.010 Violation declared a nuisance

12.20.020 Infractions

12.20.010 Violation declared a nuisance. The naming and/or renaming of a road, or the numbering of a structure, in violation of any provision of this title, is declared a nuisance.

12.20.020 Infractions. The naming or renaming of a road, or the numbering of or failure to number a structure, in violation of any provisions of this title is a Class A infraction.

Chapter 12.24

Rights of Way and Easements

Section:

12.24.010	Definitions
12.24.020	Jurisdiction
12.24.030	Scope of Regulatory Control
12.24.040	City Permission Requirements
12.24.050	Obligations of the City

12.24.010 - Definitions. For purposes of this ordinance, the following mean:

- (1) City. The City of Sisters, Oregon.
- (2) Public Rights of Way. The area within the boundary line of a dedicated or deeded roadway, alley or public way, including the subsurface and air space over such areas.
- (3) Public Easements. Public easements shall be those areas, other than public right of way, where the public or the City of Sisters has rights of vehicular or pedestrian access, or easements for purposes of improvements including, but not limited to, sewer, water, bicycle and pedestrian trails and/or park facilities. Such easements will include the subsurface and air space over such areas.
- (4) Within the City. Territory over which the City now has or acquires jurisdiction for the exercise of its powers.

12.24.020 - Jurisdiction The City of Sisters has jurisdiction and exercises regulatory control over all public rights of way and public easements within the City under the authority of the City charter and state law.

12.24.030 - Scope of Regulatory Control The City has jurisdiction and exercises regulatory control over each public right of way and public easements whether the City has a fee, easement or other legal interest in the right of way. The City has jurisdiction and regulatory control over each right of way whether the legal interest in the right of way was obtained by grant, dedication, prescription, reservation, condemnation, annexation, foreclosure or other means.

12.24.040 - City Permission Requirement No person may occupy or encroach on a public right of way without the permission of the City. The City grants permission to use rights of way by franchises, licenses and permits.

12.24.050 - Obligations of the City The exercise of jurisdiction and regulatory control over a public right of way by the City is not official acceptance of the right of way, and does not obligate the City to maintain or repair any part of the right of way.