

ROAD COMMISSION ESTABLISHED

The following is a reprint of the Dunes City Code of Ordinances, Title III, Chapter 32.40 through 32.49 that establishes the Road Commission.

§ 32.40 ESTABLISHED

A Road Commission (“Commission”) is hereby established for the City.
(Ord. 149. Passed 8-8-96)

§ 32.41 PURPOSE.

The purpose for the creation and continued existence of the Commission is to maintain the public health, welfare, and safety of its citizens, and:

- (A) To standardize road construction specifications; prepare and maintain an inventory of streets, including length, traveled width, rights-of-way width, and conditions, in order to prioritize road projects, improvements, and maintenance;
- (B) To provide long-range planning of street improvements, including but not limited to the laying out, widening, extending, and location of streets; the construction of sidewalks, boulevards, and storm drains; and the control of parking, street light placement, and use of street rights-of-way;
- (C) To study the public need for street construction improvements and maintenance and to establish priorities therefore;
- (D) To develop long-range strategies for financing capital improvements and make recommendations on such strategies to the Budget Committee and to the City Council. To serve in an advisory capacity to the City Council.
(Ord. 149, passed 8-8-96)

§ 32.42 MEMBERS; QUALIFICATIONS.

- (A) *Number of members.* The Road Commission shall consist of seven members, one of whom shall be a member of the City Council, who shall act as the non-voting Road Commission Chairperson; five voting members appointed by the City Council, who shall be legal residents of the City and shall not be employees of nor hold any official position with the City; and the City’s Director of Roads, who shall be an ex-officio non-voting member of the Road Commission.

- (B) *Qualifications.* No person shall be a voting member of the Road Commission unless such person is a legal resident of the City, is of legal voting age, and except for the Council member and the City's Director of Roads, is not an employee nor official of the City. (Ord. 149, passed 8-8-96)

§ 32.43 TERMS OF OFFICE

The resident members of the Road Commission shall serve a three-year term, except that the initial appointments to the Commission shall be for one, one-year term expiring 12-31-96, one, two-year term expiring 12-31-97; and three, three-year term expiring 12-31-98. (Ord. 149, passed 8-8-96)

§ 32.44 VACANCIES.

Vacancies shall be filled by City Council appointment for the remainder of the unexpired term of the predecessor in office. (Ord. 149, passed 8-8-96)

§ 32.45 REMOVAL OF MEMBERS.

Any member who, unless officially excused, fails to attend three consecutive meetings of the Road Commission, or fails to attend at least 50% of the meetings in any one year, may be disqualified from serving on the Road Commission, and upon certification of such absence by the Road Commission Chairperson, shall be replaced in the manner prescribed in § 32.44. (Ord. 149, passed 8-8-96)

§ 32.46 MEETING; QUORUM.

- (A) Meetings; quorum. The Road Commission should meet at least once each month and shall meet on the call of the Chairperson or on call by a majority of its members. In the absence of the Chairperson, the Director of Roads shall chair the meeting. Minutes shall be taken of meetings and are to include the meeting date, members present, items discussed, citizen input, matters voted upon by the members, and recommendations to the City Council. Minutes shall be presented in written form to the City Council at its next regularly scheduled meeting.
- (B) Quorum. A majority of voting members shall constitute a quorum. (Ord. 149, passed 8-8-96)

§ 32.47 DUTIES.

The duties and responsibilities of the Road Commission shall include but not be limited to the following:

- (A) It shall conduct studies of the current condition of streets, which are within the purview of this Commission and make recommendations to the City Council for the construction, repairs, modifications, or other needs in order for the streets to

meet relevant City, County, State, and Federal regulations.

- (B) It shall solicit and consider comments from the general public regarding the need for new, repaired, and/or modified street improvements.
- (C) It shall review and make recommendations to the Budget Committee and City Council for construction, repair or modification of any street improvements.
- (D) It shall consider citizen requests for placement of street lights and make suggestions and recommendations to the City Council.
- (E) It shall consider citizen requests for temporary use of City street rights-of-way, removal of trees and vegetation from street rights-of-way and make recommendations thereon to the City Council. (Ord. 149, passed 8-8-96)

§ 32.48 POWERS AND LIMITATIONS.

Neither the Road Commission, as a whole, nor any member or members individually or collectively shall exercise authority to bind the City, its officers, or its agents to any financial commitment or obligation (except as specifically directed or authorized by the City Council). The Road Commission has only those powers and duties as are now or hereafter granted and imposed on it by the City Charter, ordinances, and directives of the City Council. All actions of the Road Commission shall be deemed advisory to the Mayor and City Council and shall have no legislative or judicial effect unless and until formally adopted by the City Council. (Ord. 149, passed 8-8-96)

§ 32.49 EMERGENCY PROCEDURES.

In the event of storm or other disasters creating hazardous conditions on City streets or rights-of-way, or other roadway-related conditions which may be determined to be hazardous, injurious, or detrimental to the public safety and welfare, such as but not limited to, wind storm damaged trees on City rights-of-way, the Road Commission Chairperson and/or Director of Roads may declare an emergency and shall report immediately to the Mayor and/or Council President so that emergency action may be taken to alleviate the hazardous condition(s).
(Ord. 149, passed 8-8-96)