

MAINTENANCE & CONSTRUCTION IN DUNES CITY RIGHTS-OF-WAY

The Dunes City Council, Planning Commission, and the Road Commission jointly discussed the need for the City to establish a written policy for road maintenance and construction of all public roads controlled by the City as outlined herein.

A. GENERAL RESPONSIBILITIES

Dunes City is responsible for the maintenance, construction, and upgrading of all public rights-of-way under the regulatory control of Dunes City as defined in Section 90.01 of the Dunes City Code as far as practicable and subject to the road schedule adopted.

B. PRIORITIES

Public rights-of-way projects shall be prioritized in the following order: (1) maintenance, (2) upgrading of existing streets and (3) new construction. Proposed projects are to be considered in this prioritized sequence on a case-by-case basis based on need and availability of funds, and are to be carried out in a timely fashion.

1. First Priority - Street Maintenance

Maintenance of streets shall include:

- a. Patching or overlaying streets that have deteriorated; clearing or construction of drainage ditches and culverts.
- b. Brushing/limbing above paved or traveled portion of rights-of-way to a height of fourteen feet (14') where necessary, mowing all public rights-of-way at least twice every calendar year, power sweeping paved public streets the full width of the blacktop after grading where necessary, and removal of dangerous trees that are in public rights-of-way. (Refer to Appendix I, Ordinance 168, No Brushing Plan, Resolution 03-11-04)
- c. Equipment in City Streets: When it is necessary for a City contractor to traverse a City street with lug equipment, the contractor shall take adequate measures to protect City streets.

2. Second Priority - Upgrading of Streets

Upgrading shall include the improvement of existing driveway aprons to

developed properties, widening and/or straightening of streets.

Widening and straightening of any street shall not be performed without professional input of surveying, engineering and drawings to allow citizen comments for the basis of contractor proposal bidding.

Dunes City will construct driveway aprons for properties established prior to 1990. All other property owners will be required to meet appropriate driveway standards, including aprons.

3. Third Priority - Construction of New Streets

Construction standards for new streets shall meet the requirements of the subdivision ordinance. Any requests for modification of such standards for reasons of topography, etc., shall be decided by the City on a case-by-case basis.

All costs for construction of streets, roadbeds, or improvements to public rights-of-way incurred by a property owner prior to approval of such Dunes City road project, shall not be reimbursed by the City to the payor.

C. ADDITION OF NEW STREETS TO DUNES CITY THAT WILL REQUIRE DUNES CITY TO BE RESPONSIBLE FOR PERMANENT MAINTENANCE

Dunes City shall maintain new streets only if the street is a Dunes City public street. Methods for transferring responsibility for maintenance to Dunes City include, but are not limited to, the following procedures:

- 1. Acceptance of street dedications** that meet City street standards, or modified standards as approved by the City through the subdivision modification process.
- 2. Purchase of a right-of-way** by the City for the express purpose of constructing a street on that right-of-way.
- 3. Acceptance of the donation of a right-of-way** that the City has determined should be made into a public street.
- 4. Acceptance of the donation of a private street** that meets Dunes City street standards.

D. EMERGENCY EVENTS AND OTHER ANNUAL FUND SET ASIDES

1. Emergency/Unforeseen Events

City Code Section 32.49—Emergency Procedures states:

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 Chair 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 conditions(s).

(Ord. 149, passed 8-8-96)

Commencing with the fiscal year 2000/2001 budget processes, an "Emergency Events" expenditure line item is established in the road funds for unforeseen events or emergencies.

2. Road Project Proposals

The Road Commission, prior to February 1st of each year, shall recommend road projects and estimated costs to the City Council and Budget Officer for inclusion and consideration in that fiscal year's proposed budget.

E. STREET VACATION

Street and right-of-way vacations shall be approved by the Dunes City Council, with a recommendation from the Road Commission. The Road Commission and the City Council shall use the provisions of ORS 271.005 through 271.230 in their consideration of a vacation request.

F. UN-ENUMERATED NUISANCE DEFINED

Public Nuisances may be declared by the Road Commission as provided in Resolution 06-16-94. Please refer to Appendix K.

G. DUNES CITY STREET NO BRUSHING PLAN

A policy providing a no brushing plan for streets, Ordinance 168 and Resolution 03-11-04 is included in Appendix I.