

APPENDIX A

MASTER ROAD PLAN ORDINANCE

CITY OF DUNES CITY, OREGON ORDINANCE NO. 171

AN ORDINANCE ESTABLISHING THE MASTER ROAD PLAN FOR DUNES CITY, OREGON AND DECLARING AN EMERGENCY

The City of Dunes City Ordains as follows:

SECTION I **TITLE, AUTHORITY, PURPOSE**

- I. **TITLE**: This Ordinance shall be known as the Dunes City Master Road Plan Ordinance.
- II. **AUTHORITY**: Consistent with the controlling provisions of ORS Chapter 227, and under the authority of the Dunes City Charter, the Dunes City Master Road Plan, attached as Exhibit A and incorporated into this ordinance by reference, is adopted by the City of Dunes City. The Master Road Plan shall be governed by the provisions of this Ordinance.
 - A. In the event of a conflict between the Dunes City Master Road Plan and the Dunes City Code of Ordinances, the Master Road Plan shall prevail.
 - B. It is important that the Planning Commission receive input from the Road Commission when it is considering final action on a partition or subdivision that involves the creation of a street. To ensure that the Road Commission has an adequate opportunity to advise the Planning Commission on all matters pertaining to proposed streets, including issues regarding consistency with the adjacent existing and planned street system, a copy of all land use applications shall be provided to the Road Commission Secretary to allow the Road Commission adequate time to review the application and to make a timely recommendation to the Planning Commission.
- III. **PURPOSE**: The purpose of this Ordinance is to: (1) provide procedures for all street related matters of Dunes City, and to provide requirements pertaining to such street matters in accordance with the Dunes City Comprehensive Plan; (2) to protect and promote the public health, safety, and welfare of the citizens of Dunes City; and (3) to implement the Dunes City Comprehensive Plan.

SECTION II
GENERAL PROVISIONS

- I. POLICY INTERPRETATIONS BY CITY COUNCIL. It shall be the duty of the City Council, in addition to those matters specifically provided in this Ordinance to interpret matters of policy with respect to this Ordinance.

- II. ADMINISTRATIVE RESPONSIBILITIES OF THE CITY ROAD SECRETARY. It shall be the duty of the Road Secretary, in addition to those matters specifically provided or except where specifically provided otherwise in this Ordinance, to:
 - A. Administer and explain the provisions and requirements of this Ordinance.
 - B. Maintain official street maps indicating the current street naming.

- III. APPEAL OF INTERPRETATIONS AND ENFORCEMENT TO CITY COUNCIL. It shall be the duty of the City Council, when not otherwise expressly provided in this Ordinance, to hear and decide written appeals when it is alleged there is error or omission by the Road Commission, or Road Secretary, or in the interpretation and enforcement of this Ordinance.

- IV. PUBLIC HEARING RULES OF CONDUCT. The City Council and Road Commission may establish their own rules for conduct of their respective public hearings required by this Ordinance or other law.

- V. AMENDMENT PROCEDURE. Upon adoption and approval by the City Council of any such plan or amendments thereto, as from time to time may be submitted by the Planning Commission or Road Commission, a copy thereof shall be filed with the City Recorder and a copy shall be kept in the City office for the use and information to the general public.

Prior to the finalization of the Master Road Plan amendments, the City Council shall solicit participation from the Road Commission, Planning Commission and citizens.

This document, Dunes City Master Road Plan (MRP), contains the procedures, copies of City code of ordinances, resolutions, and data necessary to satisfy the current community transportation needs relating to Policy F14 of the Comprehensive Plan at the time of its acceptance by the Dunes City Council.

This Plan will be revised and approved by the City Council as necessary when community needs change.

Modifications of any provision of Dunes City Code of Ordinances Title XV, Chapter 155.095 - 155.999 (Article 3, 4, or 5 of Ordinance 60, Land Subdivision), shall go through the Road Commission for the recommendation to the Planning Commission. Any modifications or appeals that have to do with streets, or any other matters relating to permits that have to do with streets, shall be the standard taken from Ordinance 60. If the Road Commission and Planning Commission cannot agree on the recommendation of the Road Commission, the recommendation shall be automatically appealed to the Dunes City

Council. For full details, refer to Chapter 2, Section 11 of the Master Road Plan for Dunes City Code of Ordinances Title XV, Chapter 155.095 - 155.999.

- VI. GENERAL PUBLIC HEARING NOTICE PROVISIONS. In addition to the specific requirements provided in this Ordinance for public hearing notice, the following general provisions shall apply:
- A. Continuation. Any public hearing may be continued by oral pronouncement prior to the close of such hearing if notice of the time and place thereof is publicly announced at the hearing or is given in the same manner as required for the first public hearing, and such announcement shall serve as sufficient notice of such continuance to all interested persons.
 - B. Rescheduling. In the event any meeting of the City Council or Road Commission at which a public hearing has been advertised must be rescheduled due to an emergency situation, the rescheduling of the meeting shall constitute sufficient notice of a public hearing provided the following minimum procedures are observed:
 - 1. Notice is posted on the door of the building in which the hearing is scheduled advising of the cancellation and the date, time, and place for the rescheduled meeting.
 - 2. Reasonable attempts are made prior to the scheduled hearing to announce the cancellation and rescheduling by direct communication to applicants and known interested parties and through available news media to the general public.
 - C. Additional Notice. The requirements of this Ordinance for public hearing notice shall not restrict additional notification considered necessary or desirable by the City Council or Road Commission.
- VII. MINIMUM REQUIREMENTS. In interpreting and applying the provisions of this Ordinance such provisions shall be construed to be the minimum requirements for the promotion of the public health, safety, and welfare; therefore, where this Ordinance imposes a greater restriction upon the use of Dunes City streets by other laws, ordinances, rules or regulations, the provisions of this Ordinance shall control.
- VIII. CONFORMANCE AND PERMITS REQUIRED. No Dunes City streets or other related matters pertaining to streets shall be started until proper application for and securing of all permits and licenses required by all applicable state and local laws of Dunes City and the Master Road Plan have been obtained.
- IX. EFFECTIVE FILING DATE OF APPLICATIONS AND REQUESTS. All applications and requests provided in this Ordinance shall be deemed filed upon the submission of all the information, materials, and fees required by this Ordinance.
- X. SEVERABILITY. The provisions of this Ordinance are severable. If any section, sentence, clause, or phrase of this Ordinance is adjudged by a court of competent jurisdiction to be

invalid, the decisions shall not affect the validity of the remaining portions of this Ordinance.

- XI. EMERGENCY CLAUSE. It being necessary for the peace, health, safety, and orderly development of the City of Dunes City, an emergency is hereby declared to exist and this ordinance shall become effective immediately upon its passage by the council and signature by the mayor.

ADOPTED BY THE DUNES CITY COUNCIL THIS 14TH DAY OF OCTOBER, 2004.

Ayes: 5 Nays: 0 Abstain: 0 Absent: 1

Signed by:
Robert B. Ward Jr., Mayor

Signed by:
Joanne Hickey, City Recorder