

Article - R-?

ORDINANCE NO. 902

AN ORDINANCE TO REGULATE THE CONSTRUCTION OF SERVICE DRIVEWAYS AND TO PROVIDE FOR THE RECONSTRUCTION OF SERVICE DRIVEWAYS HERETOFORE CONSTRUCTED, REQUIRING A PERMIT FEE, PROVIDING A PENALTY FOR THE VIOLATION THEREOF, AND DECLARING AN EMERGENCY.

The City of Hood River does ordain as follows:

Section 1. As used in this ordinance, the term "service driveways" shall mean and include all driveways constructed and installed in or over any portion of a public street for use by the public for traveling from a public street to and upon private property.

Section 2. That it shall be unlawful for any person, firm, corporation or association, to construct or install any service driveway across any sidewalk, parking strip, curb, or in or upon any part of any street without first obtaining a permit from the City Engineer. Any person, firm, corporation or association desiring to construct or install a service driveway shall make application in writing, to the City Engineer for a permit, and such application shall state the location of the proposed service driveway, a description of the property in front of which such driveway is to be constructed or installed, the kind of material proposed to be used in the construction of such driveway, the width of the proposed driveway, and such other data and information as the city engineer may require before issuance of a permit.

Section 3. All driveways shall not exceed the following maximum widths, and if the City Engineer finds that such driveways are not a menace to the safety of the city and will not seriously affect the parking area in that portion of the city where such driveway is proposed to be located, the city engineer shall issue a permit therefor. If only one service driveway is desired the maximum widths approved shall be as follows:

PROPERTY FRONTAGE	MAXIMUM WIDTH
Less than 16 feet	8 feet
16 to 30 feet	50% of width
30 to 50 feet	20 feet with ramps
	25 feet without ramps
Over 50 to 75 feet	25 feet with ramps
	30 feet without ramps
Over 75 feet	30 feet with ramps
	35 feet without ramps

Only one service driveway shall be allowed for a frontage up to 50 feet; For frontages over 50 feet, if more than one service driveway is desired, for frontage up to 100 feet, the maximum width of driveways will be 25 feet, and not more than two such driveways will be permitted. If service driveways less than 25 feet in width are desired three 12 feet service driveways may be permitted for each 100 feet of frontage, provided, however, that not less than 18 feet of straight curb must separate service driveways under one ownership.

For any frontage in excess of 100 feet, each additional 100 feet, or fraction thereof, shall be considered as separate frontage. Any service driveway in excess of the above maximum width must receive the approval of the Council.

In cases where driveways are constructed on corner lots, no driveway shall be built closer than 2 feet from the cross walk at the curb line.

In all cases the City Engineer shall have the right to determine the location of said driveway with reference to lot lines, keeping in mind the use of the street, public safety, necessity for maximum parking space on the street and the use for which the driveway is intended and the premises to be served.

The term "frontage" as used herein shall be considered the boundary of private property abutting upon the city street line.

Section 4. All service driveways hereinafter constructed shall be paved with a hard surface pavement from curb line to the outer edge of the side walk line.

Section 5. Permit fees required: The permit fees for each service driveway shall be as follows:

For any service driveway authorized under permit from the City Engineer, \$ 1.00 for each 10 feet of length, or fraction thereof. For any service driveway submitted to and approved by the Council, \$2.00 for each 10 feet of length, or fraction thereof.

Each property owner shall construct and maintain that portion of the sidewalk used as a driveway according to the specifications and under the direction of the City Engineer. Should the owner permit the sidewalk to become dangerous to the public for any reason whatsoever, then the Council may revoke any permit outstanding with or without notice to the owner.

Section 6. Every permit issued under this ~~article~~^{ordinance} shall contain conditions providing as follows: That such permit may be revoked or modified by a resolution duly passed by the Common Council, in which case the authority and privileges granted shall thereupon cease and determine; that upon the termination by revocation, expiration, or otherwise of the authority, rights, and privileges granted by said permit, the driveway therein authorized shall be removed or modified and the sidewalk, space, parkway, and curb and any property where the same shall have been located shall be restored to their former respective conditions and locations to the satisfaction of the City Engineer, so that the said portion of said sidewalk space, parkway, and curb used for said driveway shall be safe for public travel and in the same condition as the remaining portion of said sidewalk space, parkway, and curb at the sole expense of the property owner, without cost or expense of any kind whatsoever to the City of Hood River; provided, that in the event of the failure, neglect, or refusal on the part of said grantee to remove said driveway when directed so to do by the City Engineer, by a written notice stating the action taken by the Common Council and the time within which such driveway shall be removed or modified, the City of Hood River may proceed to remove the same and charge the expense thereof to said property owner and^{it}/shall become a lien upon the property served by said driveway.

Section 7. Any existing driveway violating the terms of this ordinance and not in conformity to the provisions hereof shall be altered to conform to the provisions of this ordinance on or before the 1st day of Jan., 1949, upon notice from the City Council or City Engineer. If any person, firm or corporation ~~owning~~ the property served by such driveway shall fail, neglect or refuse to make such alteration after said notice, the City Engineer may thereupon make such alteration and charge the cost against the owner of the property.

If said costs are not promptly paid the amount of the same shall be and become a lien upon the property served by said driveway.

Section 8. In the event the City Engineer in his discretion shall refuse to issue a permit for the driveway, his action in so refusing such permit shall be subject to review by the Common Council. If the Common Council finds that the construction and maintenance of any such driveway will not substantially impair, endanger, or interfere with the public convenience, ^{and} safety, it shall by resolution direct the issuance of any such permit for a driveway or driveways of such width and at such location or locations as to the Council shall be considered proper in furtherance of public safety; otherwise such permit shall not be issued.

Section 9. Any person violating any of the provisions of this ordinance upon conviction thereof shall be punished by a fine of not more than \$ 100.00 or imprisonment in the City jail not exceeding 10 days, or by both such fine and imprisonment.

Section 10. The use of service driveways within the City of Hood River has created an especial traffic hazard and has unreasonably restricted the use of the streets, insofar as the rights of the general public are concerned, and it is hereby declared that an emergency exists and that it is necessary for the immediate ^{preservation} ~~provision~~ of the peace, health and safety of the City of Hood River that this ordinance be in full force and effect from and after its passage and approval by the Mayor.

Passed by the Common Council this 19th day of April, 1948.

W. M. Sylvestre
City Recorder

Approved by the Mayor this 19th day of April, 1948.

J. J. J. J.
Mayor