

ORDINANCE BILL NO. 1 FOR 1994

ORDINANCE NO. 1067

AN ORDINANCE AMENDING SWEET HOME MUNICIPAL CODE SECTIONS 12.04.010, 17.04.030 AND 17.08.145 PERTAINING TO SIDEWALK AND DRIVEWAY CONSTRUCTION; AND DECLARING AN EMERGENCY.

Now therefore, the City of Sweet Home does ordain as follows:

Section 1. Sweet Home Municipal Code Section 12.04.010 C. is amended to read as follows:

C. A bond or other legal instrument approved by the City Engineer binding an owner and all future owners to construct a sidewalk and/or driveway approach within a given time frame shall be required prior to occupancy approval as a condition of all building, development and public work permits for all new construction on property adjoining an improved street where sidewalks and/or driveway approaches are not in existence. When new construction is not adjoining an improved street the owner shall sign a non-remonstrance agreement for future improvements (including sidewalk, driveway approach, curb, gutter, storm drains and street improvements) to be recorded in Linn County Deed Records and be binding upon all future owners. The method of financing said improvements shall include LID'S or any other approved fair share methods assigning costs to an owner.

Section 2. Sweet Home Municipal Code Section 17.04.030 is amended to incorporate the following definitions therein:

"Approach or Driveway Approach" means that portion of land which accesses onto a public or private street. For the purpose of this ordinance width shall be the approved access width and length shall be at least 20 feet deep, measured from the existing hard surface roadway edge or curb whichever applies.

"Hard Surface or Hard Surfaced" means an area surfaced with asphaltic concrete, portland cement, "oil mat" or equivalent substance approved by the City Engineer but does not include gravel.

"Improved Street or Streets Improved" means a hard surfaced roadway of asphaltic concrete, portland cement, "oil mat" or equivalent substance approved by the City Engineer with curb and gutter.

Section 3. Sweet Home Municipal Code Section 17.08.145  
A. is amended to read as follows:

A. APPROACHES. Approaches to hard surfaced or improved city streets and alleys, shall be hard surfaced and constructed in accordance with city design standards. The property owner, when proposing an access approach to streets which are not yet improved or hard surfaced, shall enter into an agreement with the City (before any public works permit is granted) to hard surface the approach when the street is hard surfaced or improved. The agreement shall be patterned after SHMC 12.04.010 C and shall establish a time frame for completion of the approach and for a non-remonstrance agreement. Approaches shall be at least 20 feet deep, measured from the existing hard surface roadway edge or curb whichever applies.

Section 4. Emergency Clause. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety. Therefore, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage and approval by the Mayor.

PASSED by the Council and approved by the Mayor this  
22nd day of February, 1994.

  
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Mayor

ATTEST:

  
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City Manager - Ex Officio City Recorder