

ORDINANCE 66

FIRST AMENDMENT TO ORDINANCE 51, PROVIDING FOR THE INSTALLATION OF CULVERTS, PROVIDING FOR THE ABATEMENT OF VIOLATIONS, PRESCRIBING PENALTIES, AND DECLARING AN EMERGENCY.

WHEREAS, it has come to the attention of the City of Dunes City that numerous driveways are leading on to City streets, and

WHEREAS, it has come to the attention of the City of Dunes City that many of these driveways are installed without culverts, and

WHEREAS, it has come to the attention of the City of Dunes City that many of these driveways block the natural drainage of precipitation from the terrain surrounding City roads and streets, and

WHEREAS, it has come to the attention of the City of Dunes City that this retention of water may erode City streets and roadways or saturate street and road beds thereby rendering them more subject to disintegration from normal wear and tear,

THEREFORE, the City of Dunes City does amend Section I of Ordinance No. 51 as follows:

There shall be added to Section I, subsection 8, which will read as follows:

"8. All driveways in the City of Dunes City shall be constructed or maintained such that they do not form impediments to the natural drainage, and thereby collect, retain, or back up the flow of surface water and create puddles, marshes, swamps or any other such similar collection of undesirable water upon or near City streets or roads.

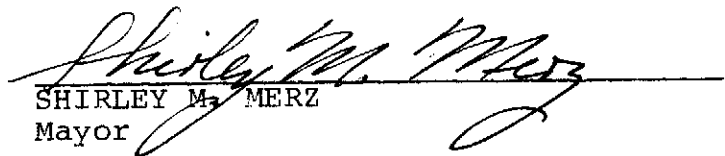
In the event such a complaint is filed pursuant to this section with the City of Dunes City, the City shall direct a member of the Road Committee to inspect the site, and suggest whether the installation of culverts would alleviate the situation. If a culvert would alleviate said situation, the City of Dunes City shall abate the nuisance pursuant to subsection 2, and if a nuisance is found to exist, direct the owner to abate the nuisance by installing culverts, or take other reasonable steps to alleviate the nuisance. In the event the owner refuses to comply within any reasonable time as set forth in the Order, the City may abate the nuisance pursuant to subsection 4 and assess costs pursuant to subsection 5, and impose penalties pursuant to subsections 7 and 8 of this Section."

- A. Upon a signed written allegation to the City Recorder that a nuisance as defined in this Ordinance exists, the City, except for paragraph 1a and 1b of Section I of the Nuisance Ordinance, shall cause:


Inasmuch as this Ordinance is necessary for the immediate preservation of the public health, peace, welfare and safety of the City of Dunes City, Oregon, an emergency is declared to exist as provided for in Chapter VIII, Section 35 of the City of Dunes City, Charter, and this Ordinance shall take effect and be in force from and after its passage by the City Council and approval of the Mayor.

PASSED by the City Council of the City of Dunes City, Oregon, on this 11th day of October, 1979.

APPROVED by the Mayor this 11th day of October, 1979.


SHIRLEY M. MERZ
Mayor

ATTEST:


PATRICIA L. BARBER
City Recorder