



# Agenda

## CITY OF MILLERSBURG City Council Regular Meeting & PUBLIC HEARING

Electronic Meeting  
September 08, 2020 @ 6:30 PM

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**This meeting is being recorded for public review on the City of Millersburg website.**

**This meeting will be held remotely. Instructions for joining the meeting by computer or phone are attached to this agenda. If you do not have access to a phone or computer, or need additional support, please contact City Hall prior to 5:00 p.m. on Monday, September 7.**

**Meeting link to join via computer:**

**<https://aspenuc.accessionmeeting.com/j/1161717173>**

**Phone number to join meeting: 503-212-9900**

**Meeting ID: 116 171 7173**

### **CALL TO ORDER**

### **ROLL CALL**

### **CHANGES AND ADDITIONS TO THE AGENDA**

### **CONSENT AGENDA**

- 1)** Draft\_City Council Meeting Minutes\_8-11-2020
- 2)** Acceptance of Report on City Accounts Payable

### **GUEST PRESENTATIONS**

- 3)** Linn County Sheriff's Office Report

### **PUBLIC COMMENT**

*The public has the opportunity to address the Council during "Public Comment" while in the virtual meeting by virtually signaling by unmuting first then those who call in will be acknowledged, or if the public prefers, may send written comments by email to [cityclerk@cityofmillersburg.org](mailto:cityclerk@cityofmillersburg.org). Please limit comments to one page and include your name and address. Emails received before 5:00 p.m. on the day of the meeting will be included and read into the record for comments by the Council.*

### **COUNCIL MEMBER AND STAFF COMMENTS**

### **CITY MANAGER'S REPORT**

- 4)** Project Updates

### **CITY ATTORNEY'S REPORT**

### **UNFINISHED BUSINESS**

## **NEW BUSINESS**

- [5\)](#) Fire Station Project Update
  
- [6\)](#) Adoption of Ordinances Updating Millersburg Municipal Code Titles 13 and 14
- [7\)](#) Traffic Calming Program Consideration

## **CLOSING PUBLIC COMMENT**

## **CLOSING COUNCIL COMMENT**

## **ADJOURNMENT**

*Note: Council may adjourn to executive session in accordance with ORS 192.660.*

## **Rules of Conduct for Public Hearings**

- 1. No person shall be disorderly, abusive, or disruptive of the orderly conduct of the hearing.*
- 2. Persons shall not testify without first receiving recognition from the presiding officer and stating their full name and residence address.*
- 3. No person shall present irrelevant, immaterial, or repetitious testimony or evidence.*
- 4. There shall be no audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive of the hearing.*

*The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation to attend or participate, please notify the Millersburg City Hall in advance by calling 458-233-6300.*



**CITY OF MILLERSBURG  
CITY COUNCIL MEETING MINUTES**  
August 11, 2020 @ 6: p.m.

A. CALL TO ORDER Mayor Lepin called the meeting to order at 6:32 p.m.

B. ROLL CALL

Councilors Present: Mayor Jim Lepin, Councilors Scott Cowan, Scott McPhee, John Sullivan

Councilors Absent: Councilor Dave Harms joined at 6:36 p.m.

Staff Present: Kevin Kreitman, City Manager; Janelle Booth, Assistant City Manager/City Engineer; Forrest Reid, City Attorney; Kimberly Wollenburg, City Recorder

Presenters: Linn County Sheriff's Office – Lieutenant Brandon Fountain

C. CHANGES AND ADDITIONS TO THE AGENDA

D. CONSENT AGENDA

- 1) Approval of July 14, 2020 City Council Meeting Minutes
- 2) Acceptance of Report on City Accounts Payable
- 3) Extending Workers' Compensation Coverage to Volunteers – Resolution 2020-16
- 4) Millersburg Commissions/Committees Member and Staff Manual, Revised August, 2020

Action: **Motion to Accept Consent Agenda made by Councilor John Sullivan; seconded by Councilor Scott Cowan.** Resolution 2020-16

<b>Mayor Jim Lepin:</b>	<b>Aye</b>
<b>Councilor Scott Cowan:</b>	<b>Aye</b>
<b>Councilor Dave Harms:</b>	<b>Absent</b>
<b>Councilor Scott McPhee:</b>	<b>Aye</b>
<b>Councilor John Sullivan:</b>	<b>Aye</b>

Motion PASSED: 4/0

E. PRESENTATIONS

- 1) Linn County Sheriff's Office Report

Lieutenant Brandon Fountain provided the monthly report for July 2020. Mayor Lepin asked if there were any concerns regarding the increased number of calls at Love's Travel Stop. Lt. Fountain noted there has been an increase.

F. PUBLIC COMMENT

*The public has the opportunity to address the Council during "Public Comment." While in the virtual meeting via computer, virtually signal by raising hand. You will be unmuted and called upon to speak. Following comments by those who have joined via computer, all lines will be unmuted and those wishing to speak will be asked to identify themselves by name and city of residence. Each speaker will be acknowledged and given the opportunity to speak. Or if the public prefers, they may send written comments by email to [cityclerk@cityofmillersburg.org](mailto:cityclerk@cityofmillersburg.org). Please limit comments to one page and include your name and address. Emails must be received before 5:00 p.m. on the day of the meeting to be included and read into the record for comments by the Council.*

- 1) Kevin and Laurie Hackstedt, Alexander Lane, extended their thanks to the City for the satisfactory resolution of the issue they had behind their house.

#### G. PUBLIC HEARING

*Persons wanting to address the Council during public hearings have two options.*

- 1- *To testify virtually during the public hearing via computer, virtually signal by raising hand. You will be unmuted and called upon to speak. Following comments by those who have joined via computer, all lines will be unmuted and those wishing to speak will be asked to identify themselves by name and address. Each speaker will be acknowledged and given the opportunity to speak. Testimony should only include new information not already previously submitted.*
- 2- *Email your comments to [cityclerk@cityofmillersburg.org](mailto:cityclerk@cityofmillersburg.org). Please include your name, address, and subject of the public hearing. Comments must be received before 5:00 p.m. on August 11, 2020 to be included in the record.*

Mayor Lepin opened the public hearing opened at 7:00 p.m.

##### 1) Sale of City Property

Mayor Lepin briefly spoke about the purpose of the hearing for the sale of City property adjacent to Conser Road and the scrapyard. City Recorder Wollenburg noted that there were no submitted written comments. City Attorney Reid provided disclosures regarding the property and the calculations as to how the sales price was determined. Additionally, he went over the next steps if the Council approves the resolution proposed later on in the meeting.

Mayor Lepin closed the public hearing at 7:05 p.m. after confirming no public in attendance to comment.

#### H. COUNCIL MEMBER AND STAFF COMMENTS

- 1) Scott McPhee asked about the vision triangle at Clearwater going onto Old Salem Road with fence and vegetation. Also on 54<sup>th</sup> and Steelhead are vision concerns especially with trucks having to nose out pretty far. He also noted some issues with vision due to the trees at City Hall looking from Conser onto Old Salem Road. Assistant City Manager/City Engineer Booth noted that the issue at Conser/Old Salem Road has been addressed by pruning the tree. For the other intersections, the plan is to review those issues. She also mentioned that the speed limit on Old Salem Road has been brought up, and we are now at the point of being able to request another speed study. Councilor McPhee questioned if there is the ability to separate Love's from the study and do a special study in that area. City Manager Kreitman noted they've had discussions with Linn County to require Love's to put up stop signs. Councilor Harms confirmed that he sees the issues at Love's daily with the trucks doing rolling stops or not even stopping. City Attorney Reid recommended requesting Linn County Sheriff's Office (LCSO) to do a focused patrol on that area and issue citations. Council asked staff to talk to LCSO.

#### I. CITY MANAGER'S REPORT

##### 1) Project Updates

City Manager Kreitman briefly went over two projects for new companies considering coming into the City.



Eric Talbot from Soderstrom Associates, reviewed the proposed exterior and interior concepts for the new Millersburg Fire Station. Assistant City Manager/City Engineer Booth then briefly reviewed the proposed location and orientation of the fire station and nearness to Old Salem Road related to concerns about noise. Councilor McPhee asked about the brick facing and costs. Mr. Talbot noted brick is a quality material with great durability, but it is not inexpensive; however, its placement on the concepts is designed to keep the costs low. There was more discussion regarding the potential modernization of the proposed design with more of an industrial feel like the City Hall. The Council would like there to be other considerations other than the brick facing. Discussion following regarding other options for the appearance of the fire station. There was also some brief discussion regarding the naming of the station as Millersburg Station 1 versus Millersburg Station 15.

City Manager Kreitman discussed with the Council the proposed Farmer's Market request. After discussion, Councilor Cowan will be the liaison to the Farmer's Market Board with Mayor Lepin as a backup.

Assistant City Manager/City Engineer Booth reviewed the rest of the projects noted in the Projects Update staff report and task list. Regarding the thermoplastic project, Ron Post, Riverstone Loop, noted that on Millersburg Drive one of the bicyclists images is backward and that near the speed sign, the arrow is pointing in the wrong direction. Assistant City Manager/City Engineer Booth will verify and have contractor correct any issues.

J. CITY ATTORNEY'S REPORT

None

K. UNFINISHED BUSINESS

None

L. NEW BUSINESS

1) Sale of City Property – Resolution 2020-17

City Attorney Reid reviewed the background and details of the proposed sale to Gordon and Shirley Moore of land adjacent to their scrapyard.

Action: **Motion to Approve Resolution 2020-17 Authorizing the Sale of Approximately 0.15 Acres of the City of Millersburg, Oregon, to Gordon and Shirley Moore made by Councilor Scott McPhee; seconded by Councilor Dave Harms.** Resolution 2020-17

- Mayor Jim Lepin: Aye**
- Councilor Scott Cowan: Aye**
- Councilor Dave Harms: Aye**
- Councilor Scott McPhee: Aye**
- Councilor John Sullivan: Aye**

Motion PASSED: 5/0

2) Professional Services Agreement – ECONorthwest

City Manager Kreitman reviewed the council action report with the Council.

Action: **Motion to Authorize the City Manager to Enter into a Professional Services Agreement with ECONorthwest for the Completion of a Housing Needs**

**Analysis and Buildable Lands Inventory for the City of Millersburg made by Councilor John Sullivan; seconded by Councilor Scott McPhee.**

- Mayor Jim Lepin: Aye**
- Councilor Scott Cowan: Aye**
- Councilor Dave Harms: Aye**
- Councilor Scott McPhee: Aye**
- Councilor John Sullivan: Aye**

Motion PASSED: 5/0

3) Donation of Land Parcels – Millersburg Land & Development

City Manager Kreitman reviewed the background of this request.

Action: **Motion Directing Staff to Work with City Attorney and Millersburg Land & Development to Draft the Required Documents for the Donation of Land to the City of Millersburg made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.**

- Mayor Jim Lepin: Aye**
- Councilor Scott Cowan: Aye**
- Councilor Dave Harms: Aye**
- Councilor Scott McPhee: Aye**
- Councilor John Sullivan: Aye**

Motion PASSED: 5/0

M. CLOSING PUBLIC COMMENT

None

N. CLOSING COUNCIL COMMENT

- 1) Councilor Cowan spoke about issues with ivy growing up around trees around Morningstar and whether the ivy had been addressed. Assistant City Manager/City Engineer Booth confirmed that an arborist came out and addressed the ivy in that area and that as a result of the treatment, the ivy will soon start to die off.
- 2) Mayor Lepin reminded everyone that there is only one week to go to submit candidacy for the City Council for the election in November.

O. ADJOURNMENT

Meeting adjourned at 8:21 p.m.

Respectfully submitted:

Reviewed by:

Kimberly Wollenburg  
City Recorder

Kevin Kreitman  
City Manager

Note: Council may adjourn to executive session in accordance with ORS 192.660.

Upcoming Meetings & Events:

August 25, 2020 @ 4:00 p.m. – City Council Work Session (tentative)

August 27, 2020 @ 6:00 p.m. – Planning Commission Public Hearing

September 2, 2020 @ 6:00 p.m. – Planning Commission Public Hearing (Development Code)

September 8, 2020 @ 6:30 p.m. – City Council Regular Meeting

*The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation to attend or participate, please notify the Millersburg City Hall in advance by calling 458-233-6300.*

**City of Millersburg  
Council Approval Report  
(Council Approval Report)**

Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
<b>25 ADS. LLC, PO Box 74008582, Chicago, IL, 60674-8582</b>		12814.0720	07/25/20	ADS LLC, Biannual Maintenance and Meter Checks	08/25/20	\$5,159.00	\$5,159.00	04-1305	O&M COLLECTION SYS	\$223,000.00	\$208,498.00
							<b>\$5,159.00</b>				
<b>43 Aflac, 1932 Wynnton Road, Columbus, GA,</b>		030881	08/12/20	AFLAC through August 2020	09/01/20	\$49.08	\$49.08	01-9210	Payroll Taxes Payable	\$0.00	(\$11,914.81)
							<b>\$49.08</b>				
<b>539 Barrett Business Services Inc., 421 Water Avenue NE, Albany, OR, 97321</b>		3155624	07/31/20	Barrett - Week Ending 7/26/20 - Nicholas Bohanan	08/31/20	\$650.65	\$650.65	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$73,430.08
		3156170	08/07/20	Barrett - Week Ending 8/2/20 - Nicholas Bohanan	09/07/20	\$676.00	\$676.00	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$73,430.08
		3155624	07/31/20	Barrett - Week Ending 7/26/20 - Mark Yeager	08/31/20	\$260.00	\$260.00	04-1409	WETLANDS/WASTEWA	\$704,700.00	\$704,700.00
		3156304	08/07/20	Barrett - Week Ending 8/2/20 - Mark Yeager	09/07/20	\$390.00	\$390.00	04-1409	WETLANDS/WASTEWA	\$704,700.00	\$704,700.00
							<b>\$1,976.65</b>				
<b>904 Betiel Yohannes, , , ,</b>		08/06/2020	08/13/20	Betiel Yohannes - mileage through 8/7/2020	08/13/20	\$28.18	\$28.18	01-1351	MILEAGE	\$1,600.00	\$1,580.44
		08/13/2020	08/17/20	Betiel Yohannes - Mileage Reimbursement through 8/13/20	08/17/20	\$20.70	\$20.70	01-1351	MILEAGE	\$1,600.00	\$1,580.44
							<b>\$48.88</b>				
<b>740 Cascades West Regional Consortium, 1400 Queet Avenue SE, Suite 205, Albany, OR, 97322</b>		CWRC2019-2020	08/05/20	Cascades West Regional Consortium - Annual Membership Dues	09/05/20	\$500.00	\$500.00	01-1336	DUES & SUBSCRIPTIO	\$14,000.00	\$8,506.38
							<b>\$500.00</b>				
<b>773 CH2MHILL OMI, Department 1267, Denver, CO, 80291-1267</b>		351259-040	08/05/20	CH2MHILL OMI - Out of Scope Agreement though Aug 2020	09/05/20	\$666.50	\$666.50	05-1307	OMI SERVICES FOR DI	\$10,000.00	\$10,000.00
							<b>\$666.50</b>				
<b>765 Handy Hands Landscape C&amp;M LLC, 31410 HWY 34, Tangent, OR, 97389</b>		July 2020	08/17/20	Handy Hands - City Hall and Fire Station Landscape through July 2020	08/17/20	\$1,280.00	\$1,280.00	01-1332	CONTRACTED SERVIC	\$81,440.00	\$85,993.18
		July 2020 2	08/17/20	Handy Hands - City Rental Property Landscape through July 2020	08/17/20	\$480.00	\$480.00	01-1357	RENTAL PROPERTY	\$12,000.00	\$11,506.85
							<b>\$1,760.00</b>				
<b>19 Linn County Planning and Building, PO Box 100, Albany, OR, 97321</b>		July 2020	08/03/20	Linn County Planning and Building - July 2020	09/03/20	\$49,279.27	\$49,279.27	01-5332	PMNT TO LINN CO BUIL	\$255,000.00	\$248,451.44
							<b>\$49,279.27</b>				
<b>12 Linn County Sheriff's Office, 1115 Jackson Street SE, Albany, OR, 97322</b>		2020/20201 Q1	08/07/20	LCSO - 2020/2021 Q1	09/07/20	\$33,502.50	\$33,502.50	01-4302	LINN COUNTY CONTRA	\$134,010.00	\$134,010.00

**City of Millersburg  
Council Approval Report  
(Council Approval Report)**

Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance	
							<b>\$33,502.50</b>					
<b>744</b>	<b>Melissa Schulze, Albany, OR, 97321</b>	8/4/2020	08/13/20	Melissa Schulze - Refund for discount on 2019 Millersburg Run	08/13/20	\$10.00	\$10.00	01-1115	Millersburg Celebration	\$9,500.00	\$9,500.00	
							<b>\$10.00</b>					
<b>761</b>	<b>Mike's Heating and Air, PO BOX 748, Albany, OR, 97321</b>	156807	08/11/20	Mike's Heating and Air - Fire Station Maintenance	08/31/20	\$105.00	\$105.00	01-4303	UTILITIES - FIRE STATI	\$8,000.00	\$7,420.38	
							<b>\$105.00</b>					
<b>6</b>	<b>Petro Card, PO Box 34243, Seattle, WA, 98124-1243</b>	C614455	07/31/20	Petro Card - Fuel through July 2020	08/18/20	\$173.52	\$173.52	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$73,430.08	
							<b>\$173.52</b>					
<b>41</b>	<b>Providence Health Plan, PO Box 4167, Portland, OR, 97208-4167</b>	08/10/2020	08/10/20	Providence Health through August 2020	09/01/20	\$7,346.90	\$7,346.90	01-1211	MEDICAL INSURANCE	\$91,062.00	\$83,100.10	
							<b>\$7,346.90</b>					
<b>909</b>	<b>Saafeld Griggs PC, PO Box 470, Salem, OR, 97308</b>	413036	08/04/20	Saafeld Griggs PC, Condemnation Legal support through July 2020	09/04/20	\$5,703.00	\$5,703.00	01-1339	LEGAL SERVICES	\$190,000.00	\$163,840.00	
							<b>\$5,703.00</b>					
<b>686</b>	<b>Wheat LLC, 1141 Chemawa Road, Keizer, OR, 97303</b>	5957	07/31/20	Wheat LLC - July Street Sweeping	08/30/20	\$1,975.77	\$1,975.77	02-1319	STREET SWEEPING	\$25,000.00	\$23,024.23	
							<b>\$1,975.77</b>					
<b>786</b>	<b>Witherspoon Industries LLC, PO Box 1047, Lebanon, OR, 97355</b>	3968	07/31/20	Witherspoon Industries LLC - Janitorial through July 2020	08/30/20	\$1,525.00	\$1,525.00	01-1332	CONTRACTED SERVIC	\$81,440.00	\$85,993.18	
							<b>\$1,525.00</b>					
<b>Total Bills To Pay:</b>							<b>\$109,781.07</b>					

**City of Millersburg  
Council Approval Report  
(Council Approval Report)**

Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
<b>539</b>	<b>Barrett Business Services Inc., 421 Water Avenue NE, Albany, OR, 97321</b>										
3156836		08/14/20	Barrett Business Services - Week Ending 8/9/20 - Nicholas Bohanan - COVID Cleaning	09/14/20	\$76.05	\$76.05	01-1361	COVID Expenses	\$0.00		(\$2,358.67)
3156836		08/14/20	Barrett Business Services - Week Ending 8/9/20 - Nicholas Bohanan	09/14/20	\$676.00	\$676.00	01-2302	PARK SUPPLIES & MAI	\$82,000.00		\$72,322.48
3156836		08/14/20	Barrett Business Services - Week Ending 8/9/20 - Mark Yeager	09/14/20	\$520.00	\$520.00	04-1409	WETLANDS/WASTEWA	\$704,700.00		\$704,050.00
											<b>\$1,272.05</b>
<b>466</b>	<b>CH2MHill Engineers, Inc, PO Box 201869, Dallas, TX, 75320-1869</b>										
D3395300-01		07/13/20	CH2M Hill - Engineer Support through June 2020	08/13/20	\$512.07	\$512.07	01-1354	CONSULTANTS - ENGI	\$20,000.00		\$20,000.00
D3395300-02		08/18/20	CH2M Hill - Engineer Support through July 2020	09/18/20	\$1,533.03	\$1,533.03	01-1354	CONSULTANTS - ENGI	\$20,000.00		\$20,000.00
D3395300-01		07/13/20	CH2M Hill - Engineer Support through June 2020	08/13/20	\$1,223.30	\$1,223.30	02-1301	20% CONSULTANTS EN	\$50,000.00		\$50,000.00
D3395300-01		07/13/20	CH2M Hill - Engineer Support through June 2020	08/13/20	\$3,111.85	\$3,111.85	02-1301	20% CONSULTANTS EN	\$50,000.00		\$50,000.00
D3395300-02		08/18/20	CH2M Hill - Engineer Support through July 2020	09/18/20	\$6,049.40	\$6,049.40	02-1301	20% CONSULTANTS EN	\$50,000.00		\$50,000.00
D3395300-02		08/18/20	CH2M Hill - Engineer Support through July 2020	09/18/20	\$14,743.00	\$14,743.00	02-1301	20% CONSULTANTS EN	\$50,000.00		\$50,000.00
D3395300-02		08/18/20	CH2M Hill - Engineer Support through July 2020	09/18/20	\$1,126.18	\$1,126.18	04-1301	20% CONSULTANTS - E	\$10,000.00		\$10,000.00
											<b>\$28,298.83</b>
<b>659</b>	<b>David Evans &amp; Associates, Inc., Dept LA 24340, Pasadena, CA, 91185-4340</b>										
471936		08/18/20	David Evans & Associates - PCPI support though July 2020	09/18/20	\$1,262.61	\$1,262.61	02-1303	PCPI EXPENSE	\$10,000.00		\$8,144.44
471936		08/18/20	David Evans & Associates - PCPI support though July 2020	09/18/20	\$1,262.61	\$1,262.61	03-1303	PCPI	\$10,000.00		\$8,453.70
471936		08/18/20	David Evans & Associates - PCPI support though July 2020	09/18/20	\$757.56	\$757.56	04-1303	SEWER PCPI	\$6,000.00		\$4,762.96
471936		08/18/20	David Evans & Associates - PCPI support though July 2020	09/18/20	\$757.56	\$757.56	05-1303	PCPI EXPENSE	\$6,000.00		\$5,072.23
											<b>\$4,040.34</b>
<b>327</b>	<b>De Lage Landen Financial Services, Inc., PO Box 41602, Philadelphia, PA, 19101-1602</b>										
69172559		08/17/20	De Lage Laden Financial Services - Printer Lease	10/01/20	\$374.55	\$374.55	01-1332	CONTRACTED SERVIC	\$81,440.00		\$83,513.18
											<b>\$374.55</b>
<b>660</b>	<b>Element Graphics, 250 NW Tyler Avenue, Corvallis, OR, 97330</b>										
O1005146		08/05/20	Element Graphics - T shirts for parks staff	09/05/20	\$179.00	\$179.00	01-2302	PARK SUPPLIES & MAI	\$82,000.00		\$72,322.48
											<b>\$179.00</b>
<b>10</b>	<b>John Deere Financial, PO Box 4450, Carol Stream, IL, 60197-4450</b>										

**City of Millersburg**  
**Council Approval Report**  
 (Council Approval Report)

Item 2)

Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
		2162069	08/24/20	John Deere Financial - Tractor repairs	09/05/20	\$221.78	\$221.78	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$72,322.48
							<u>\$221.78</u>				
<b>585</b>	<b>MorganCPS Group, 1308 Marigold Street NE, Keizer, OR, 97303-3553</b>										
8821			08/21/20	MorganCPS Group - Planning support through July 2020	09/21/20	\$5,862.50	\$5,862.50	01-1353	CONSULTANTS - PLAN	\$111,000.00	\$103,640.00
							<u>\$5,862.50</u>				
<b>902</b>	<b>Soderstrom Architects, Ltd, 1200 NW Naito Parkway, Suite Number 410, Portland, OR, 97209</b>										
8153			07/31/20	Soderstrom Architects - Fire Station Design through July 2020	08/30/20	\$26,775.00	\$26,775.00	01-4404	Permanent Fire Station D	\$315,000.00	\$283,290.00
							<u>\$26,775.00</u>				
							<u>\$67,024.05</u>				
				<b>Total Bills To Pay:</b>							



# LINN COUNTY SHERIFF'S OFFICE

**Jim Yon, Sheriff**

1115 S.E. Jackson Street, Albany, OR 97322  
Albany, OR. 97322  
Phone: 541-967-3950  
www.linnsheriff.org

## 2020

### MONTHLY REPORT TO THE CITY OF MILLERSBURG FROM THE LINN COUNTY SHERIFF'S OFFICE

**FOR THE MONTH OF: August**

TRAFFIC CITATIONS: _____	6
TRAFFIC WARNINGS: _____	5
TRAFFIC CRASHES: _____	2
ADULTS CITED/VIOLATIONS: _____	0
ADULTS ARRESTED : _____	2
JUVENILES CITED/VIOLATIONS: _____	0
JUVENILES ARRESTED: _____	0
COMPLAINTS/INCIDENTS INVESTIGATED: _____	136

**TOTAL HOURS SPENT: MILLERSBURG 167**

**CONTRACT HOURS= 153 HOURS**

**Jim Yon,  
Sheriff, Linn County**

**By: Sergeant Greg Klein**





TO: Millersburg City Council

VIA: Kevin Kreitman, City Manager

FROM: City Staff

DATE: September 3, 2020 for Council Meeting September 8, 2020

SUBJECT: Project Updates Memo

### **Monthly Update on Projects:**

Staff are currently in the process of implementing many projects and activities in the City to address objectives of the Strategic Plan, direction from Council, and needs staff have identified. In order to facilitate tracking these tasks, a Gantt chart has been developed. As staff continues to work on these tasks, the Gantt chart will be periodically updated and provided for Council and public information. The most recent version of the Gantt chart is attached to this memo. Tasks in blue are complete, tasks in yellow are in progress, and tasks that are not colored have not been started.

There are many tasks currently in progress. An overview of several specific tasks and projects is provided below.

### **Industries**

*MEI purchased by RENA:* MEI was recently purchased by RENA, a German company founded in 1933. Their purchase of MEI is their first operations based in the US, and the Millersburg location is identified as their North American Headquarters RENA-NA. The following is a link with additional information on the company. <https://www.rena.com/en/news-events/press/pressdetail/112/>

*Freightliner Northwest:* Owned by Gordon Truck Centers with operations in Oregon, Washington, and Hawaii, Freightliner has begun operations on the former terminal site for Gordon Trucking. Gordon Trucking sold their freight hauling division to Heartland Express in 2013, but have maintained ownership of their Millersburg property on Old Salem Road since the sale to Heartland Express. They are planning on opening on Tuesday September 8<sup>th</sup>. The initial plan for the facility is service, parts, and major repair, with the potential of sales and expansion on site based growth they experience once opened for business. Their closest location is in Coburg, which is a full service center which they are hopeful Millersburg becomes as well at some point.

*Atira Systems:* It appears that Atira Systems has ceased operations in Millersburg. Contact information on their website now lists a Santa Cruz, California address.

### **Sidewalk**

In August, it was brought to the City's attention that a resident had tripped and became injured on a sidewalk along Alexander Lane. Upon inspection, there was a small lip in the sidewalk at a driveway panel. The Millersburg Municipal Code states, "The owner or owners of land adjoining any street in the City shall be liable to any person suffering injury by reason of any defect in the sidewalks in front of the land." In accordance with the Millersburg Municipal Code, a letter was sent to the adjacent property owner, notifying them of their responsibility to fix this issue.

**Woods Road Project**

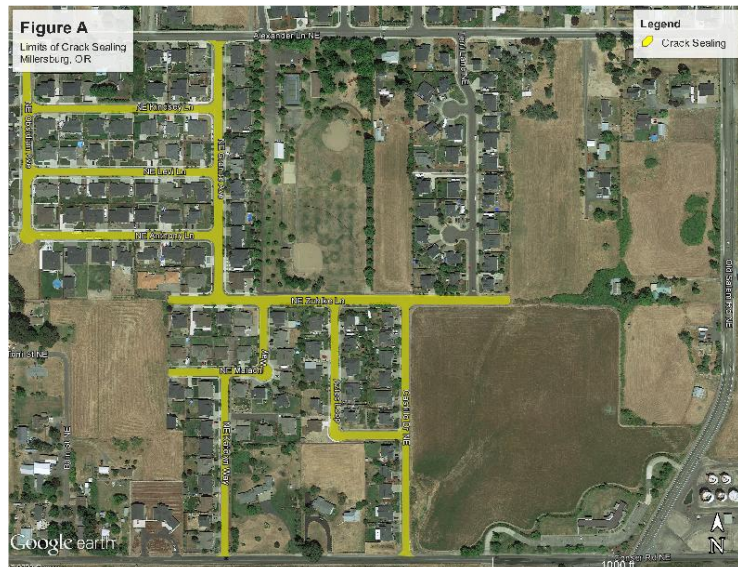
The Woods Road pavement repair project began on September 1 and is expected to run through approximately September 18. The project limits are from the intersection of Woods Road and Alexander Lane to just south of Riverstone Loop, with an additional short section of pavement overlay north of Sonora. The purpose of the project is to grind out and replace areas of failed pavement and install a 2" overlay on the entire road surface. The project will also clean out roadside ditches and construct check dams in the steeper ditch areas, as well as installing new shoulder rock. This project will require flagging and temporary road closures at times during construction. This has been communicated to residents within the limits of work, as well as Mill Rite Farms, and road closures will be posted to the City reader board and on our website.

**Crack Sealing Project:**

Crack sealing in 2020 is planned for the following streets:

- Obsidian
- Granite Ave
- Castillo Dr
- Aztec Loop
- Malachi Way
- Katelyn Way
- Kindsey Ln
- Levi Ln
- Anthony Ln
- Zuhlke Ln

The work is scheduled to take place on Sept. 18 and, if an additional day is needed, will be completed on Sept. 25.



**Perlenfein Estates Project:**

The Perlenfein Estates project, located off Alexander Lane, is underway. The contractor, BRX, is completing the sewer infrastructure and began on the water infrastructure last week. The connection to the existing sewer system required tying into an existing manhole in Woods Road. The water connection required tapping the water main in Alexander. Both of these activities have been completed, and the only remaining work within the public right-of-way is storm drainage work on Woods Road, which is scheduled to take place in a few weeks. The remainder of the work will be on-site until final curb, gutter, sidewalk, and paving work at the connection to Alexander Lane is completed near the end of the project.

ID	Task Mode	Task Name	Duration	Start	Finish	Resource Names	Gantt Chart (1/21 to 8/26)																											
1	?	<b>Millersburg Tasks</b>																																
2	?																																	
3	?	<b>Charter and Council</b>	261 days	Thu 1/2/20	Thu 12/31/20																													
4	?	Update of charter	261 days	Thu 1/2/20	Thu 12/31/20	Kevin,Forrest																												
5	?																																	
6	?	<b>Ordinances and Code</b>	390 days	Thu 1/2/20	Wed 6/30/21																													
7	?	Update code/resolutions for current billing cycle	232 days	Mon 1/20/20	Tue 12/8/20																													
8	✓	Update streets and traffic section of code	132 days	Mon 3/9/20	Tue 9/8/20	Janelle																												
9	?	Update building section of code	92 days	Mon 8/3/20	Tue 12/8/20																													
10	✓	Update parks section of code	0 days	Tue 2/11/20	Tue 2/11/20	Janelle																												
11	?	Comprehensive Plan Update	390 days	Thu 1/2/20	Wed 6/30/21	Matt,John																												
12	?																																	
13	?	<b>Policies, Procedures, and Standards</b>	260 days	Thu 1/2/20	Wed 12/30/20																													
14	?	Fleet policy and best practices for vehicles				Kevin,Janelle																												
15	?	Computer/electronics use policy				Kevin,Janelle																												
16	?	Equipment use policy				Kevin,Janelle																												
17	?	Billing policies				Kim																												
18	?																																	
19	?	<b>Safety procedures and training</b>	261 days	Thu 1/2/20	Thu 12/31/20																													
20	?	Safety manual				Kevin,Janelle																												
21	?	Staff training plans	261 days	Thu 1/2/20	Thu 12/31/20	Kevin,Janelle																												
22	?	Ergo evaluations	261 days	Thu 1/2/20	Thu 12/31/20	Kevin,Janelle																												
23	?																																	
24	?	<b>Budget</b>		Tue 1/23/18																														
25	✓	2020-2021 Budget	112 days	Mon 1/27/20	Tue 6/30/20	Jake,Kevin,Janelle																												
26	✓	Develop proposed budget	67 days	Mon 1/27/20	Tue 4/28/20																													
27	✓	Adopt budget	31 days	Tue 4/28/20	Tue 6/9/20																													
28	?	CIP update	70 days	Wed 2/5/20	Tue 5/12/20	Janelle																												
29	?																																	
30	?	<b>Equipment life/replacement costs tracking</b>	260 days	Thu 1/2/20	Wed 12/30/20																													
31	?	City Hall Equipment																																
32	?	Parks/Maintenance Equipment																																
33	?	Fire Station																																
34	?																																	
35	?	<b>City Hall work</b>	260 days	Thu 1/2/20	Wed 12/30/20																													
36	✓	East Conference Room reorganization	260 days	Thu 1/2/20	Wed 12/30/20	Kevin,Kim																												
37	✓	Upgrade phone system	22 days	Thu 1/2/20	Fri 1/31/20	Janelle,Kevin,Kim																												
38	?	Parking lot and sidewalk around north end of City Hall	302 days	Thu 1/2/20	Fri 2/26/21	Janelle																												
39	?	Cabinets in conference rooms	261 days	Wed 7/1/20	Wed 6/30/21																													
40	?	Emergency generator	261 days	Wed 7/1/20	Wed 6/30/21																													
41	?																																	
42	?	<b>Planning, Building, and Development</b>	260 days	Thu 1/2/20	Wed 12/30/20																													
43	?	Complete Land Use Development Code Revision	203.25 day	Thu 1/2/20	Tue 10/13/20	John Morgan																												
44	?	Consider UGB expansion	261 days	Thu 1/2/20	Thu 12/31/20	John,Kevin,Janelle																												
45	?	Buildable Lands Inventory	239 days	Mon 2/3/20	Thu 12/31/20																													
46	?	Housing Needs Analysis	239 days	Mon 2/3/20	Thu 12/31/20																													
47	?	Implementation of Caselle community development mod	210 days	Mon 6/8/20	Fri 3/26/21	Kevin,Janelle																												
48	?																																	
49	?	<b>Economic Development</b>	261 days	Thu 1/2/20	Thu 12/31/20																													
50	?	Consider business registration				Kevin																												
51	✓	Consider fuel tax	349 days	Thu 7/1/21	Tue 11/1/22	Kevin																												
52	?	Consider transient room tax				Kevin																												
53	?	City property conceptual layout/Industrial Park	261 days	Thu 1/2/20	Thu 12/31/20	Kevin,Janelle																												
54	?	Design of utilities and access to city property west of tract	239 days	Mon 2/3/20	Thu 12/31/20	Janelle																												
55	✓	Wetland delineation for city owned property	110 days	Mon 1/27/20	Fri 6/26/20	Janelle																												
56	?																																	
57	?	<b>Fire Station</b>	651 days	Thu 1/2/20	Thu 6/30/22																													
58	✓	Develop RFQ to select design firm	12 days	Thu 1/2/20	Fri 1/17/20	Kevin,Janelle																												

Project: Task List  
Date: Wed 9/2/20

Task	Summary	Inactive Milestone	Duration-only	Start-only	External Milestone	Manual Progress
Split	Project Summary	Inactive Summary	Manual Summary Rollup	Finish-only	Deadline	
Milestone	Inactive Task	Manual Task	Manual Summary	External Tasks	Progress	

ID	Task Mode	Task Name	Duration	Start	Finish	Resource Names	Gantt Chart (1/21 to 8/26)																											
59	✓	Select design firm and negotiate contract	63 days	Fri 1/17/20	Tue 4/14/20	Kevin,Janelle	[Gantt bar from 1/17/20 to 4/14/20]																											
60	✓	Site Survey	17 days	Fri 5/8/20	Mon 6/1/20	Janelle	[Gantt bar from 5/8/20 to 6/1/20]																											
61	⚠	Design	207 days	Thu 4/30/20	Fri 2/12/21	Kevin,Janelle	[Gantt bar from 4/30/20 to 2/12/21]																											
62	⚠	Construction	266 days	Mon 3/15/21	Mon 3/21/22	Kevin,Janelle	[Gantt bar from 3/15/21 to 3/21/22]																											
63																																		
64		<b>Parks</b>	<b>261 days</b>	<b>Thu 1/2/20</b>	<b>Thu 12/31/20</b>		[Gantt bar from 1/2/20 to 12/31/20]																											
65	✓	Parks Master Plan	74 days	Thu 1/2/20	Tue 4/14/20	Janelle	[Gantt bar from 1/2/20 to 4/14/20]																											
66	?	Consider coating of walls and floors in restrooms			Fri 10/30/20	Sean	[Gantt bar from 10/30/20 to 10/30/20]																											
67	?																																	
68	⚠	<b>Utilities</b>	<b>260 days</b>	<b>Thu 1/2/20</b>	<b>Wed 12/30/20</b>	<b>Kevin,Janelle,consultant</b>	[Gantt bar from 1/2/20 to 12/30/20]																											
69	⚠	Implementation of new utility billing system	322 days	Thu 1/2/20	Fri 3/26/21	Kim	[Gantt bar from 1/2/20 to 3/26/21]																											
70	⚠	Rate analysis and update	238 days	Thu 1/2/20	Mon 11/30/20	Janelle	[Gantt bar from 1/2/20 to 11/30/20]																											
71		Water	224 days	Thu 1/2/20	Tue 11/10/20		[Gantt bar from 1/2/20 to 11/10/20]																											
72		Sewer	224 days	Thu 1/2/20	Tue 11/10/20		[Gantt bar from 1/2/20 to 11/10/20]																											
73		Stormwater?	152 days	Fri 5/1/20	Mon 11/30/20		[Gantt bar from 5/1/20 to 11/30/20]																											
74	⚠	SDC analysis and update	129 days	Thu 1/2/20	Tue 6/30/20	Janelle	[Gantt bar from 1/2/20 to 6/30/20]																											
75	✓	Water	139 days	Thu 1/2/20	Tue 7/14/20		[Gantt bar from 1/2/20 to 7/14/20]																											
76	✓	Sewer	139 days	Thu 1/2/20	Tue 7/14/20		[Gantt bar from 1/2/20 to 7/14/20]																											
77	✓	Streets	139 days	Thu 1/2/20	Tue 7/14/20		[Gantt bar from 1/2/20 to 7/14/20]																											
78	✓	Stormwater	139 days	Thu 1/2/20	Tue 7/14/20		[Gantt bar from 1/2/20 to 7/14/20]																											
79		Parks	194 days	Mon 4/6/20	Thu 12/31/20		[Gantt bar from 4/6/20 to 12/31/20]																											
80	?																																	
81		<b>Transportation/Streets</b>	<b>260 days</b>	<b>Thu 1/2/20</b>	<b>Wed 12/30/20</b>		[Gantt bar from 1/2/20 to 12/30/20]																											
82	✓	Manhole Surface Repair	64 days	Thu 1/2/20	Tue 3/31/20		[Gantt bar from 1/2/20 to 3/31/20]																											
83		Kathryn Lane Repair	261 days	Thu 1/2/20	Thu 12/31/20		[Gantt bar from 1/2/20 to 12/31/20]																											
84		Woods Road Repair and Overlay	187 days	Thu 1/2/20	Fri 9/18/20		[Gantt bar from 1/2/20 to 9/18/20]																											
85	✓	Surface Treatment - Sweetwater and Morningstar Subdivisions	211 days	Fri 1/10/20	Fri 10/30/20		[Gantt bar from 1/10/20 to 10/30/20]																											
86		Crack Sealing - SE Area	130 days	Mon 3/30/20	Fri 9/25/20		[Gantt bar from 3/30/20 to 9/25/20]																											
87	✓	Thermoplastic Stop Bars and Legends	172 days	Thu 1/2/20	Fri 8/28/20		[Gantt bar from 1/2/20 to 8/28/20]																											
88		Beauty Strips Along Woods Road North	159 days	Mon 5/25/20	Thu 12/31/20		[Gantt bar from 5/25/20 to 12/31/20]																											
89	?																																	
90		<b>Stormwater</b>	<b>260 days</b>	<b>Thu 1/2/20</b>	<b>Wed 12/30/20</b>		[Gantt bar from 1/2/20 to 12/30/20]																											
91		Crooks Creek north trib project	295 days	Mon 7/27/20	Fri 9/10/21		[Gantt bar from 7/27/20 to 9/10/21]																											
92	⚠	Have Millersburg storm drain facilities added to Albany GIS system through IGA	217 days	Thu 1/2/20	Fri 10/30/20	Janelle	[Gantt bar from 1/2/20 to 10/30/20]																											
93	⚠	Becker Ridge Detention Ponds Modifications	155 days	Mon 4/27/20	Fri 11/27/20	Janelle	[Gantt bar from 4/27/20 to 11/27/20]																											
94	⚠	Erosion Control Permit Program	217 days	Thu 1/2/20	Fri 10/30/20	Janelle	[Gantt bar from 1/2/20 to 10/30/20]																											
95	⚠	Develop inspection and maintenance program	217 days	Thu 1/2/20	Fri 10/30/20	Janelle	[Gantt bar from 1/2/20 to 10/30/20]																											
96	?																																	
97		<b>Water</b>	<b>261 days</b>	<b>Thu 1/2/20</b>	<b>Thu 12/31/20</b>		[Gantt bar from 1/2/20 to 12/31/20]																											
98	⚠	Look into requirements for becoming a certified distribution system operator and performing DRC duties	153 days	Mon 3/2/20	Wed 9/30/20	Janelle	[Gantt bar from 3/2/20 to 9/30/20]																											
99	⚠	Water master plan - submit finance component	237 days	Thu 1/2/20	Fri 11/27/20	Janelle	[Gantt bar from 1/2/20 to 11/27/20]																											
100	?																																	
101		<b>Sewer</b>	<b>261 days</b>	<b>Thu 1/2/20</b>	<b>Thu 12/31/20</b>		[Gantt bar from 1/2/20 to 12/31/20]																											
102	✓	Manhole grouting	112 days	Mon 1/27/20	Tue 6/30/20	Janelle	[Gantt bar from 1/27/20 to 6/30/20]																											
103	✓	Burkhart Lift Station pumps replacement	134 days	Mon 2/3/20	Thu 8/6/20		[Gantt bar from 2/3/20 to 8/6/20]																											
104		Crooks Creek Lift Station evaluation	217 days	Thu 1/2/20	Fri 10/30/20		[Gantt bar from 1/2/20 to 10/30/20]																											
105																																		
106		<b>Miscellaneous</b>	<b>261 days</b>	<b>Thu 1/2/20</b>	<b>Thu 12/31/20</b>		[Gantt bar from 1/2/20 to 12/31/20]																											
107	⚠	New website	217 days	Thu 1/2/20	Fri 10/30/20	Kim	[Gantt bar from 1/2/20 to 10/30/20]																											
108	⚠	Change city name for addressing	261 days	Thu 1/2/20	Thu 12/31/20	Kevin	[Gantt bar from 1/2/20 to 12/31/20]																											
109																																		
110		<b>HR</b>	<b>29 days</b>	<b>Thu 1/2/20</b>	<b>Tue 2/11/20</b>		[Gantt bar from 1/2/20 to 2/11/20]																											
111	⚠	Update employee manual	189 days	Thu 1/2/20	Tue 9/22/20	Kevin,Forrest	[Gantt bar from 1/2/20 to 9/22/20]																											

Project: Task List  
Date: Wed 9/2/20

Task	Summary	Inactive Milestone	Duration-only	Start-only	External Milestone	Manual Progress
Split	Project Summary	Inactive Summary	Manual Summary Rollup	Finish-only	Deadline	
Milestone	Inactive Task	Manual Task	Manual Summary	External Tasks	Progress	



TO: Millersburg City Council  
FROM: Kevin Kreitman  
DATE: September 3, 2020 for the September 8, 2020 Council Meeting  
SUBJECT: Fire Station Project Update

Action Requested:

Receive update on Fire Station project and provide feedback on changes since last review.

Discussion:

Design and engineering for the station continues. The floor plan and orientation on site have been selected. Renderings of the exterior appearance were presented at the August Council meeting, and Council provided feedback on the roof concept and building exterior. These comments have been incorporated, and revised renderings are attached to this report. The architect will be available during the meeting to go over the changes and receive any additional feedback. Once Council is comfortable with the exterior appearance, the intent is to share it with a wider public audience in the community via the City website and social media.

The draft geotechnical report was evaluated, and it has been determined that costly soil stabilization will not be required to address seismic settlement concerns. The foundation will be designed to reduce the risk of differential settlement by use of a mat foundation.

Design of the road and associated infrastructure required for the Fire Station site and the industrial park is moving forward and will include a multi-use path in place of sidewalks and bike lanes on the north and east sides of the new access road. The Fire Station location and finished floor elevation has been determined based on providing a vertical alignment (slopes) for the new access road off of Old Salem Road which will accommodate both fire apparatus and vehicles associated with potential future industry, as well as slopes on driveways into the Fire Station.

Budget Impact:

None at this time. Project costs included in FY 2020-21 budget.

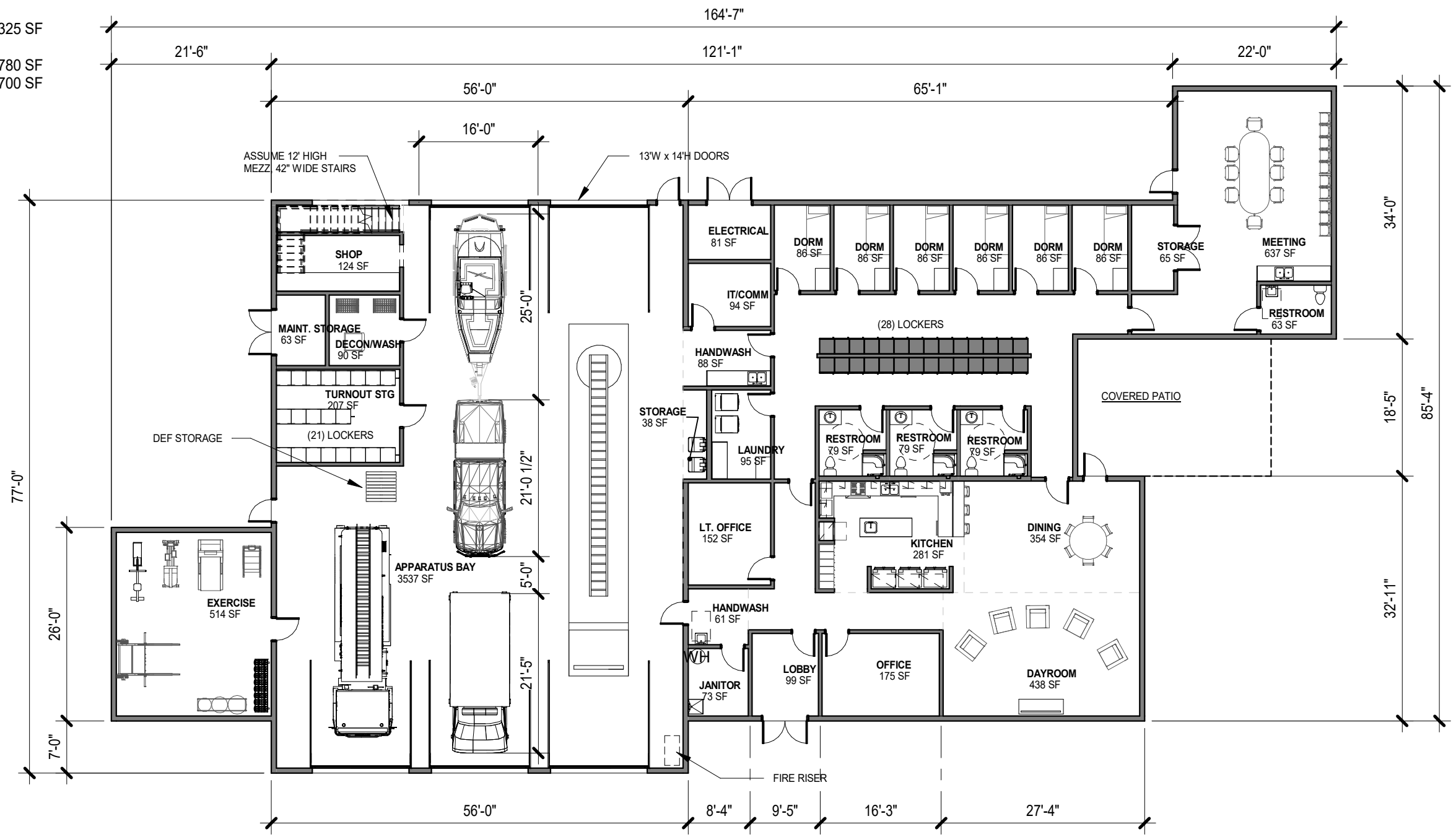
Recommendation:

Provide feedback on revised exterior appearance.

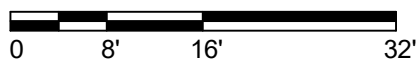
Attachment(s):

- Floor Plan
- Exterior Rendering
- Site Plan

ADMIN: 1,325 SF  
FIRE APPRATUS /SUPPORT: 4,780 SF  
LIVING QUARTERS: 3,700 SF



TOTAL AREA: 9,800 SF



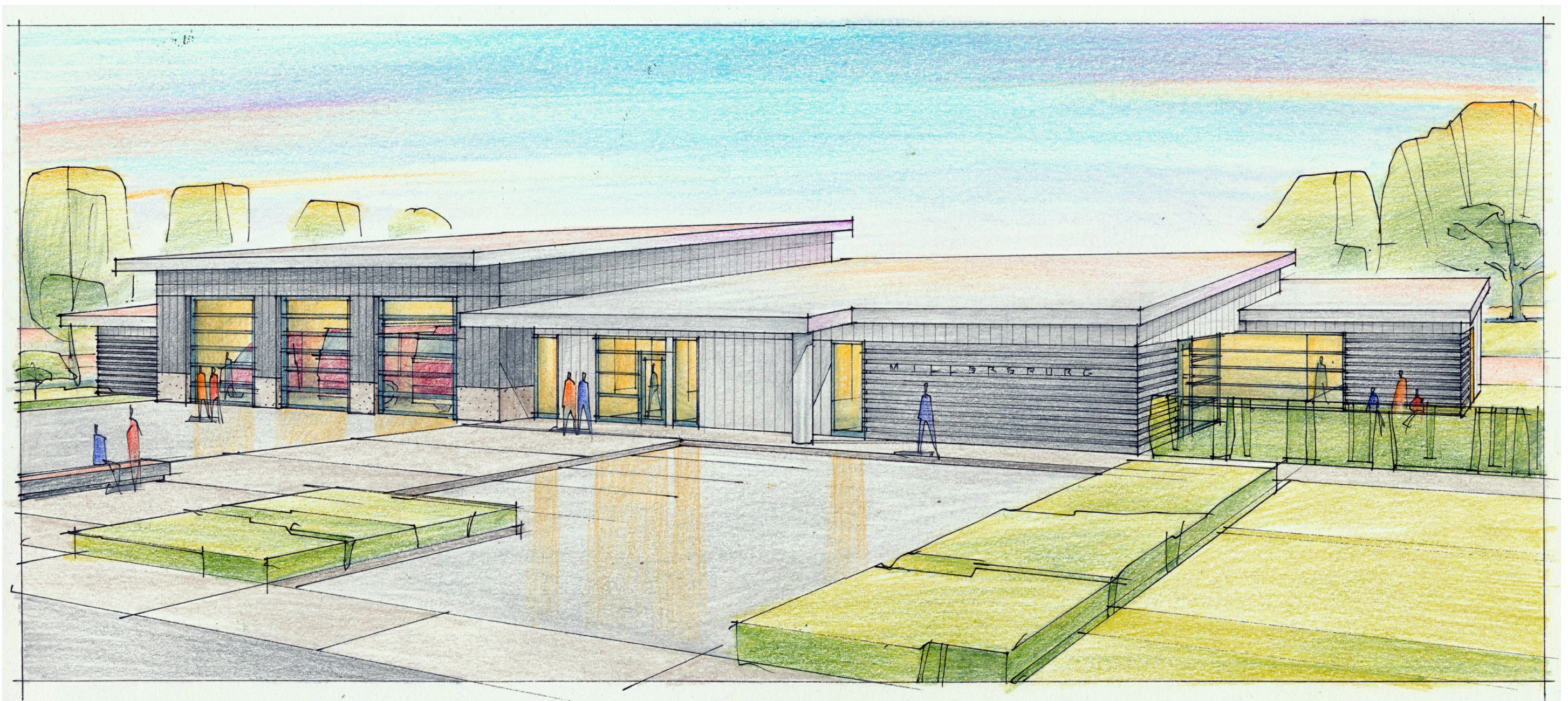
Schematic Floor Plan

Station 15  
Millersburg Fire

SD-01a

9/3/20  
Soderstrom Architects









TO: Millersburg City Council

FROM: Kevin Kreitman, City Manager

DATE: September 3, 2020, for the September 8, 2020 City Council Meeting

SUBJECT: Adoption of Ordinances Updating Millersburg Municipal Code Titles 13 and 14

Action Requested:

Adoption of attached Ordinances, updating Chapter 13 Vehicles and Traffic and Chapter 14 Streets and Sidewalks of the Millersburg Municipal Code.

Discussion:

Staff has been working on reviewing these and other chapters in our municipal code for needed updates. While looking for a code reference, we became aware that during our September, 2019 Council meeting language was proposed to be added to Chapter 13 to address abandoned vehicles. During adoption of that new language a previous ordinance was repealed, which included additional language which was not intended to be repealed. The proposed Ordinances will correct this oversight, as well as address some needed updates for consistency and propose additional code language staff and the City Attorney believe could be beneficial in the future. Because of the inadvertent deletion of previous code language, if Council is in concurrence with the recommended Chapter 13 and 14 updates, staff would recommend adoption of Ordinance 176-20 with an emergency provision, given it would restore language previously deleted; and that the adoption of Ordinance 177-20 be handled as a standard adoption.

Budget Impact:

None

Recommendation:

Staff recommends Council adoption of Ordinance 176-20 updating Chapter 13 Vehicles and Traffic, of the Millersburg Municipal Code and declaring an emergency; and adoption of Ordinance 177-20 updating Chapter 14 Streets and Sidewalks.

Attachment(s):

- Ordinance 176-20 with attached language
- Ordinance 177-20 with attached language



**ORDINANCE NO. 176-20**

**AN ORDINANCE AMENDING MILLERSBURG  
MUNICIPAL CODE TITLE 13**

**WHEREAS**, the City of Millersburg has jurisdiction and desires to have orderly and safe use of, and access to, City streets and rights-of-way while also providing for orderly public use and safe vehicle operations, and safe parking of motor vehicles; and,

**WHEREAS**, this Ordinance establishes regulations to provide for the orderly and safe use of, and access to, City streets and rights-of-way while also providing for the orderly public use and safe parking of motor vehicles within the City of Millersburg; and,

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF MILLERSBURG DO ORDAIN AS FOLLOWS:** Millersburg Municipal Code Title 13 is hereby adopted; and,

**FURTHERMORE**, Millersburg Municipal Code Chapters 13.10, 13.20, and 13.30 are hereby repealed and replaced by Millersburg Municipal Code Title 13 which is attached to this Ordinance.

**FURTHERMORE**, the Council declares an emergency for the health, safety, and welfare of its citizens and thus declares this Ordinance immediately effective upon its passage and signing.

**PASSED by the Council this 8th day of September, 2020.**

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Jim Lepin  
Mayor

ATTEST:

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Kimberly Wollenburg  
City Recorder

## Title 13 VEHICLES AND TRAFFIC

### Chapters:

#### **13.04 ADOPTION OF STATE TRAFFIC ACT**

- [13.04.010](#) Adoption of motor vehicle laws – Oregon Laws.
- [13.04.020](#) Statute duplication, enforcement and extension.

#### **13.08 DEFINITIONS**

#### **13.12 ENFORCEMENT**

- [13.12.010](#) Council powers.
- [13.12.020](#) City Manager powers.
- [13.12.030](#) Law enforcement and fire officers.

#### **13.16 SIGNS AND SIGNALS**

- [13.16.010](#) Private marking unlawful.

#### **13.21 REGULATIONS FOR MOTOR VEHICLE PARKING**

- [13.21.010](#) Definitions.
- [13.21.020](#) Improper parking methods.
- [13.21.030](#) Prohibited parking areas.
- [13.21.040](#) Parking time limited in certain areas.
- [13.21.050](#) No Parking-Streets designated.
- [13.21.060](#) No Parking-Trucks and trailers.
- [13.21.070](#) Parking on public streets.
- [13.21.080](#) Parking in violation of signs.
- [13.21.090](#) Designation of parking spaces and signs.
- [13.21.100](#) Use of loading zone.
- [13.21.110](#) Use of passenger loading zone.
- [13.21.120](#) Restricted use of bus and taxicab stands.
- [13.21.130](#) Barricade and parking spaces.
- [13.21.140](#) Exemption.
- [13.21.150](#) Enforcement responsibility.
- [13.21.160](#) Responsibility of owner for parking violations.
- [13.21.170](#) Penalties for parking violations.

#### **13.22 TRAFFIC CONGESTED THOROUGHFARES**

- [13.22.010](#) Traffic congested thoroughfares.
- [13.22.020](#) Traffic congested thoroughfare defined.
- [13.22.030](#) Declaration of traffic congested street.
- [13.22.040](#) Posting of signs.
- [13.22.050](#) Signs.
- [13.22.060](#) Acts prohibited.
- [13.22.070](#) Penalty.
- [13.22.080](#) Notice of towing for subsequent violations.
- [13.22.090](#) Towing and impoundment.

[13.22.100](#) Exemptions.

### **13.23 UNLAWFUL TRANSFERS ON A HIGHWAY**

[13.23.010](#) Prohibition against unlawful transfer on a highway.

[13.23.020](#) Exceptions.

[13.23.030](#) Penalty.

### **13.24 FUNERAL ESCORT SERVICE**

[13.24.010](#) Defined.

[13.24.020](#) Authority.

[13.24.030](#) Responsibility.

[13.24.040](#) Equipment.

### **13.28 PEDESTRIANS**

[13.28.010](#) Use of sidewalks.

[13.28.020](#) Crossing at right angles.

[13.28.030](#) Use of crosswalk required.

### **13.32 PARADES – PROCESSIONS**

[13.32.020](#) Parade/processional permits required.

[13.32.030](#) Drivers in procession.

[13.32.040](#) Driving through procession.

### **13.33 TEMPORARY RIGHT-OF-WAY USE PERMIT**

[13.33.010](#) Permit required.

[13.33.020](#) Application.

[13.33.030](#) Standards and conditions.

[13.33.040](#) Revocation – Renewal.

### **13.36 GENERAL REGULATIONS**

[13.36.010](#) Damaging sidewalks and curbs.

[13.36.020](#) Obstructing streets.

[13.36.030](#) Removing glass and debris.

[13.36.040](#) RVs and temporary habitation. Motor vehicle or recreational vehicle use for sleeping or housekeeping purposes and related parking restrictions.

[13.36.050](#) Use of Dynamic Braking Devices (Jake brakes)

[13.36.060](#) Penalties.

### **13.40 BICYCLES**

[13.40.010](#) Riding on sidewalks.

[13.40.020](#) Parking.

### **13.70 ABANDONED VEHICLES**

### **13.90 PRIVATE PROPERTY IMPOUNDS**

[13.90.010](#) General provisions.

[13.90.020](#) Definitions.

<a href="#">13.90.030</a>	Conditions.
<a href="#">13.90.040</a>	Prohibitions.
<a href="#">13.90.050</a>	Photographs.
<a href="#">13.90.060</a>	Offer transportation assistance to vehicle owner/owner's agent.
<a href="#">13.90.070</a>	Animals in towed vehicles.
<a href="#">13.90.080</a>	Notification following the tow.
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<a href="#">13.90.110</a>	Regulations.
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<a href="#">13.90.130</a>	Towing and storage rates.
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<a href="#">13.90.160</a>	Operator's license.

## **Chapter 13.04 ADOPTION OF STATE TRAFFIC ACT**

### **13.04.010 Adoption of motor vehicle laws**

The City of Millersburg adopts ORS 810.010 through 826.041, and any future amendments thereto.

### **13.04.020 Statute duplication, enforcement, and extension**

The City may enact ordinances which are the same as the State statutes, may enact ordinances which put the State statutes into effect on streets and roads within the City, and may add by ordinance rules and regulations which are not inconsistent with the statutes of the State. A State of Oregon statute will take priority if in conflict with a City Ordinance. (Ord. 13 § 3, passed 12-9-1975; Code 2014 § 71.03)

## **Chapter 13.08 DEFINITIONS**

See ORS 810.010 through 826.041, and any future amendments thereto.

## Chapter 13.12 ENFORCEMENT

Sections:

- [13.12.010](#) Council powers.
- [13.12.020](#) City Manager powers.
- [13.12.030](#) Law enforcement and fire officers.

### **13.12.010 Council powers.**

The City Council shall designate, by resolution, the following:

(1) Streets, portions of streets, sides of streets or City owned or leased land upon which parking, or standing shall be prohibited or prohibited during certain hours and the angle of such parking;

(2) Through streets;

(3) One-way streets;

(4) Truck routes;

(5) Streets where trucks, machinery or any other large or heavy vehicles exceeding specified weights shall be prohibited. The vehicles may, however, be operated on such streets for the purpose of delivering or picking up materials or merchandise, but then only by entering the streets at the intersection nearest the destination of the vehicle and proceeding no farther than the nearest intersection.

### **13.12.020 City Manager powers.**

The City Manager for best use of the streets in the public interest shall exercise the following powers based on standards established by the State Highway Commission and recognized traffic control standards such as the Manual on Uniform Traffic Control Devices published by the Bureau of Public Roads, providing, where required by the motor vehicle laws of Oregon approval by the State Highway Commission has first been secured:

(1) Designate where traffic control signals shall be placed and the time of operation of such signals;

(2) Establish bus stops, bus stands, taxicab stands and stands for other passenger common-carrier vehicles;

(3) Designate the location of passenger loading zones for use in front of the entrance to any hotel, auditorium, theater, church, school or public building;

(4) Designate the location of material and freight loading zones;

(5) Designate and cause to be placed or maintained appropriate signs, marks or lines for:

(a) Intersections where drivers of vehicles shall not make right, left or "U" turns and the times when such prohibitions apply,

(b) Crosswalks at intersections where deemed necessary for pedestrian safety,

(c) Safety zones of such kind and character and at such places as deemed necessary for pedestrian safety,

(d) Play streets, or such hours when certain streets may be used as such, on which no person shall drive a vehicle upon such street or portion thereof, except drivers of vehicles having business or whose residences are within such closed area, and then such driver shall exercise the greatest care in driving upon such street,

(e) Parking meters;

(6) Cause to be placed or marked and maintained:

- (a) Traffic control signs,
- (b) Parking spaces,
- (c) Traffic lanes and other symbols,
- (d) All other signs and marking necessary to implement traffic and parking controls enacted by the City Council;

(7) Cause to be removed or reduced in height, or trim any hedge, shrubbery or tree extending over the street;

(8) Make and enforce temporary, experimental or emergency regulations, consistent with this title. No such regulation shall be effective and in force until and unless adequate signs, signals, or other notices are erected clearly indicating such regulation. No such regulation shall remain in effect for more than 30 days.

### **13.12.030 Law Enforcement and Fire Officers.**

(1) It shall be the duty of the authorized Law Enforcement Agency, through its officers, to enforce the provisions of this title.

(2) In the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Law Enforcement Agency may direct traffic as conditions may require notwithstanding the provisions of this title.

(3) Members of the Fire Department, when at the scene of an emergency, may direct or assist law enforcement in directing traffic thereat or in the immediate vicinity.

## **Chapter 13.16 PRIVATE MARKING UNLAWFUL**

### **13.16.010 Private marking unlawful.**

It is unlawful for any person to letter, mark, or paint in any manner any letters, marks, or signs on any sidewalk, curb, street or alley, or to post on a parking strip anything designed or intended to prohibit or restrict parking in front of any sidewalk, dwelling house, business house, or in any alley, except in compliance with the provisions of this title. Violation shall be a fine of \$100.

## **Chapter 13.21 REGULATIONS FOR MOTOR VEHICLE PARKING**

- [13.21.010](#) Definitions.
- [13.21.020](#) Improper parking methods.
- [13.21.030](#) Prohibited parking areas.
- [13.21.040](#) Parking time limited in certain areas.
- [13.21.050](#) No Parking-Streets designated.
- [13.21.060](#) No Parking-Trucks and trailers.
- [13.21.070](#) Parking on Public streets.
- [13.21.080](#) Parking in violation of signs.
- [13.21.090](#) Designation of parking spaces and signs.
- [13.21.100](#) Use of loading zone.
- [13.21.110](#) Use of passenger loading zone.

- [13.21.120](#) Restricted use of bus and taxicab stands.
- [13.21.130](#) Barricade and parking spaces.
- [13.21.140](#) Exemption.
- [13.21.150](#) Enforcement responsibility.
- [13.21.160](#) Responsibility of owner for parking violations.
- [13.21.170](#) Penalties for parking violations.

### **13.21.010 Definitions.**

For the purpose of this chapter:

(1) "Park" or "parking" means the standing of a vehicle, whether occupied or not, upon a street otherwise and temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers or loading or unloading merchandise or in obedience of traffic regulations, signs or signals or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle.

(2) "Persons" means and includes any individual, firm, co-partnership, association or corporation.

(3) "Operator" means and includes every individual who shall operate a vehicle as the owner thereof, or as the agent, employee, permittee of the owner or in actual physical control of the vehicle.

(4) "Police", any authorized law enforcement officer.

(5) "Street" means any public street, avenue, road, alley, highway, lane, path, or other public place located in the City, established for the use of vehicles.

(6) "Vehicle" means any device in, upon or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks.

### **13.21.020 Improper parking methods.**

(1) No person shall stand or park a vehicle in a street other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with the curbside wheels of the vehicle within 12 inches of the edge of the curb, except where the street is marked or signed for angle parking.

(2) Where parking space markings are placed on a street, no person shall stand or park a vehicle other than at the indicated direction and within a single marked space, unless the size or shape of the vehicle makes compliance impossible.

(3) Whenever the owner or driver of a vehicle discovers that the vehicle is parked immediately in front of or close to a building to which the Fire Department has been summoned, he/she shall immediately remove the vehicle from the area unless otherwise directed by law enforcement or fire officers.

### **13.21.030 Prohibited parking areas.**

No driver of a vehicle shall stop, stand or park it, whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a law enforcement officer or a traffic control signal, in any of the following places:

- (1) When in an intersection;
- (2) On a crosswalk;
- (3) Within 10 feet of a fire hydrant;
- (4) In front of a private driveway;

- (5) On a sidewalk or in such a manner as to block a sidewalk;
- (6) In a bus stand, unless operating a bus;
- (7) In a passenger loading zone, unless loading or unloading passengers and their luggage;
- (8) In a taxi stand, unless a regularly licensed taxicab;
- (9) Upon a bridge, viaduct or elevated structure used as a street;
- (10) In any alley, except to load or unload persons or materials not to exceed 15 consecutive minutes in any one hour. A vehicle may park in any alley between the hours of 8:00 a.m. and 5:00 p.m. if it is actively needed to make installation or repairs to equipment or buildings or for building construction, provided the vehicles will not cause the alley to be blocked to other traffic.
- (11) Upon any parkway except where specifically authorized;
- (12) Upon any street within the City for the principal purpose of:
  - (a) Displaying such vehicle for sale,
  - (b) Greasing or repairing such vehicle, except repairs necessitated by emergency,
  - (c) Displaying or advertising from such vehicle,
  - (d) Selling merchandise from such vehicle, except in a duly licensed market place or when so authorized or licensed under the ordinances of this City,
  - (e) Storage or junkage or dead storage for more than 24 hours.
- (13) A vehicle upon any marked bicycle pathway.
- (14) Upon any public or private street or access designated as a fire lane.

#### **13.21.040 Parking time limited in certain areas.**

When signs are erected in any block or within any public parking lot limiting permissible parking time, no person shall park a vehicle within that block or parking lot for longer than the time posted upon the sign. Movement of a vehicle to a parking space on either side of the same street within the area between the intersections at each end of the block shall not extend the time limits for parking. Nor shall movement of a vehicle to another parking space within the same parking lot extend the time limits for parking. After a vehicle has been moved from the posted block or parking lot for a period of time not less than one hour, then a new time limitation shall apply.

#### **13.21.050 No parking – Streets designated.**

- (1) It shall be unlawful for any person to park or leave standing a motor-driven or motor-propelled vehicle on any portion of Waverly Drive, Amanda Lane, Bain Street, or Toni Street.
- (2) The entirety of Waverly Drive, Amanda Lane, Bain Street, and Toni Street, located within the City, are hereby designated no parking zones.
- (3) Every 24 hours is a separate and chargeable violation at the discretion of the citing officer.
- (4) Violation of this section is a Class C violation. (Ord. 142, passed 1-8-2019)

#### **13.21.060 No parking – Trucks and trailers.**

- (1) The entirety of Western Way located within the City is hereby designated a zone of no parking of trucks or trailers between 10:00 p.m. and 6:00 a.m.
- (2) It shall be unlawful for any person to park a truck or trailer between 10:00 p.m. and 6:00 a.m. on any portion of Western Way.



(3) Every 24 hours is a separate and chargeable violation at the discretion of the citing officer.

(4) Violation of this section is a Class C violation. (Ord. 143, passed 1-8-2019)

#### **13.21.070 Parking on public streets.**

(1) The storage or parking of a vehicle, trailer, or truck tractor for longer than 72 continuous hours on a public street is prohibited.

(2) A vehicle, trailer, or truck tractor parked or stored on a public street must relocate a minimum of 200 feet from the previous location at least every 72 hours.

(3) The City Manager or his/her designee, using their reasonable discretion, has authority to issue a permit to allow parking of a vehicle, trailer, or truck tractor on a public street for up to 30 days. This permit may be renewed by the City Manager or his/her designee, using their reasonable discretion.

(4) Violation of this section is punishable as a Class D violation. (Ord. 148, passed 4-9-2019)

#### **13.21.080 Parking in violation of signs.**

(1) No person shall stand or park a vehicle in violation of any sign posted by the City of Millersburg regulating the manner in which vehicles may be parked upon a public street or upon a public parking lot.

(2) No person shall stand or park a vehicle in violation of any sign posted by the City of Millersburg, or the owner of a private parking lot, regulating the manner in which vehicles may park or stand upon said private parking lot when all businesses served by said lot are closed.

(3) No person shall cause a vehicle to enter upon a private parking lot in violation of any sign posted by the City of Millersburg, or the owner of a private parking lot, regulating or restricting entry upon said private parking lot.

(4) It shall be an affirmative defense to the alleged violation of subsections (2) or (3) of this section that the operator of the vehicle in question had express permission from the owner of the private parking lot in question to park, stand, or enter upon the lot in the manner alleged by the City.

(5) It shall be an affirmative defense to the alleged violation of subsections (2) or (3) of this section that the signs regulating or restricting parking, standing, or entry were not clearly visible or did not prescribe the conduct in question with reasonable clarity.

#### **13.21.090 Designation of parking spaces and signs.**

The City Engineer of the City of Millersburg is hereby authorized to designate and mark off individual parking spaces upon public streets or parking lots. Parking spaces are to be designated by lines painted or durably marked upon the curbing or the surface of the street. The City Engineer is further authorized to post signs upon or adjacent to public streets or parking lots regulating the manner in which vehicles may be parked.

#### **13.21.100 Use of loading zone.**

No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pick up and loading of materials, freight or passengers in any place designated a loading zone during the hours when the provisions applicable to loading zones are in effect. The stopping, standing or

parking of a vehicle in a loading zone in excess of 15 minutes shall be prima facie evidence of a violation of the use of the loading zone.

**13.21.110 Use of passenger loading zone.**

No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious loading or unloading of passengers in any place designated as a passenger loading zone during the hours when the provisions applicable to passenger loading zones are in effect.

**13.21.120 Restricted use of bus and taxicab stands.**

No person shall stop, stand, or park a vehicle other than a bus in a bus stand or other than a taxicab in a taxicab stand, except that the driver of a passenger vehicle may temporarily stop for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone.

**13.21.130 Barricade of parking spaces.**

(1) The City Engineer may issue a permit to be placed on a barricade in a parking space in a time limit zone to a contractor or utility company engaged in construction, reconstruction, or repair of a building or installation of equipment, or to persons engaged in moving furniture or fixtures into or out of a building located adjacent to a street in a time limit zone when such building is to be used as a public gathering place.

(2) The permit shall be issued only for each particular construction job or use.

(3) No person shall stand or park vehicles and/or equipment other than those described on the permit in the posted or barricaded space or area.

**13.21.140 Exemption.**

The provisions of this title regulating the parking or standing of vehicles do not apply to any vehicle of a City department or public utility while necessarily in use for construction or repair work on the street or any vehicle owned by the United States while in use for the collection, transportation or delivery of United States mail.

**13.21.150 Enforcement responsibility.**

The Law Enforcement Agencies and their officers employed providing service to the City shall have the responsibility for the enforcement of the provisions of this chapter.

**13.21.160 Responsibility of owner for parking violations.**

(1) The owner of a vehicle parked in violation of MMC [13.21.010](#) through [13.21.120](#) shall be responsible for the offense, except where the use of the vehicle was secured by the operator without the owner's consent.

(2) In a prosecution of a vehicle owner charged with a violation of MMC [13.21.010](#) through [13.21.120](#), proof that at the time of the alleged violation the vehicle was registered with the appropriate motor vehicle licensing authority of any state as belonging to the defendant shall raise a disputable presumption that he/she was the owner at the time of the violation in question.

**13.21.170 Penalties for parking violations.**

Unless otherwise stated, violations of MMC [13.21.010](#) through [13.21.120](#) shall be punishable only through the imposition of a civil penalty in the amount not to exceed \$100.00 per violation, and shall be enforceable in any civil court of competent jurisdiction.

## **Chapter 13.22 TRAFFIC CONGESTED THOROUGHFARES**

Sections:

- [13.22.010](#) Traffic congested thoroughfares.
- [13.22.020](#) Traffic congested thoroughfare defined.
- [13.22.030](#) Declaration of traffic congested street.
- [13.22.040](#) Posting of signs.
- [13.22.050](#) Signs.
- [13.22.060](#) Acts prohibited.
- [13.22.070](#) Penalty.
- [13.22.080](#) Notice of towing for subsequent violations.
- [13.22.090](#) Towing and impoundment.
- [13.22.100](#) Exemptions.

### **13.22.010 Traffic congested thoroughfares.**

The purpose of this section is to prohibit the repeated driving of a motor vehicle along and across one portion of a congested public thoroughfare. Violation of this section shall constitute a strict liability offense without requirement of a culpable mental state.

### **13.22.020 Traffic congested thoroughfare defined.**

A traffic congested thoroughfare shall be defined as any public street, or portion thereof, which has been so designated by the City Council of the City of Millersburg because of the repeated driving of the same motor vehicles thereon during particular days of the week and/or during particular hours of the day.

### **13.22.030 Declaration of traffic congested street.**

The City Council of the City of Millersburg, by motion or resolution, may declare a portion of a public street to be a traffic congested thoroughfare whenever, in the exercise of reasonable discretion, it is determined that the repeated driving of the same motor vehicles along that portion of the public street during particular days of the week and/or particular hours of the day has caused that street to become so congested with traffic as to cause obstruction of streets, sidewalks, and parking lots, or the impediment of access to retail business or other buildings open to the public, or the interference with the use of property for the conduct of business in the areas adjacent thereto, or that emergency vehicles cannot respond in that area in a timely manner. The motion or resolution may specify particular days of the week and/or particular hours of the day when the repeated driving in question is prohibited.

### **13.22.040 Posting of signs.**

Whenever the City Council of the City of Millersburg declares a portion of a street to be a traffic congested thoroughfare, it shall cause signs to be posted giving notice of that designation.

**13.22.050 Signs.**

The signs referred to in MMC [13.22.040](#) shall notify drivers that they are entering a traffic congested thoroughfare and that passage of the same motor vehicle through or across the traffic congested thoroughfare between prohibited hours, and/or during prohibited days, more than two times, is a violation of this section and that upon a subsequent violation, the vehicle may be towed.

**13.22.060 Acts prohibited.**

Between the hours and/or on the days, specified in the motion or resolution referred to in MMC [13.22.030](#), no vehicle shall pass along or across a traffic congested thoroughfare, designated as such by signs as described in MMC [13.22.050](#), more than two times during any two-hour period.

**13.22.070 Penalty.**

Violation of this chapter shall be a civil infraction punishable as a Class D violation.

**13.22.080 Notice of towing for subsequent violations.**

Upon issuing a citation for violation of MMC [13.22.060](#), the citing officer shall give the person to whom the citation is issued a written notice which shall state:

NOTICE

You have been cited for violation of MMC Section [13.22.060](#) for repeated passage of a motor vehicle on or across a traffic congested thoroughfare. If the vehicle you are driving is again driven along or across a traffic congested thoroughfare before (end of applicable two-hour period) the driver may be cited for violation of MMC Section [13.22.060](#) and the vehicle may be impounded and towed at your expense or at the expense of the owner or other person entitled to possession of the vehicle.

\_\_\_\_\_ Name of Officer

**13.22.090 Towing and impoundment.**

Any vehicle which violates MMC [13.22.060](#) more than once within the same prohibited time period may be cited for multiple violations of MMC [13.22.060](#) and the vehicle used in the commission of the violations may be towed and taken to a storage area maintained by the tower, selected by the Law Enforcement Agency, and there impounded. All costs of towing, storage, and impoundment, shall be at the expense of the owner or person entitled to possession of the vehicle.

**13.22.100 Exemptions.**

- MMC Sections [13.22.010](#) through [13.22.090](#) shall not apply to:
  - (1) Any publicly owned vehicle of any City, County, public district, state or federal agency.
  - (2) Any vehicle licensed for public transportation.

(3) Any other vehicle granted an exemption by the Law Enforcement Agency having jurisdiction because passage of the vehicle along or across the traffic congested thoroughfare is necessary for commercial and medical reasons.

## Chapter 13.23 UNLAWFUL TRANSFERS ON A HIGHWAY

Sections:

- [13.23.010](#) Prohibition against unlawful transfer on a highway.
- [13.23.020](#) Exceptions.
- [13.23.030](#) Penalty.

### **13.23.010 Prohibition against unlawful transfer on a highway.**

A person commits the offense of unlawful transfer on a highway if the person:

- (1) While a driver or passenger in a vehicle on a highway, road or street within the boundaries of the City of Millersburg gives or relinquishes possession or control of, or allows another person in the vehicle to give or relinquish possession or control of, any money or tangible personal property to a pedestrian; or
- (2) While a pedestrian, accepts, receives, or retains possession or control of any money or tangible personal property from a driver or passenger in a vehicle on a highway, road, or street within the boundaries of the City of Millersburg.

### **13.23.020 Exceptions.**

(1) This section does not apply if the vehicle is legally parked. This section also does not apply to persons participating in a "pedestrian activity," as defined by OAR Chapter [734](#), Division [58](#), for which a permit has been issued by the Oregon Department of Transportation, so long as all terms of such permit are being met.

(2) This section does not apply to fund raising events sponsored by a non-profit organization, where appropriate right-of-way permits have been received from the jurisdiction having roadway authority.

### **13.23.030 Penalty.**

Any person found violating this chapter shall be guilty of committing a Class C violation.

## Chapter 13.24 FUNERAL ESCORT SERVICE

Sections:

- [13.24.010](#) Defined.
- [13.24.020](#) Authority.
- [13.24.030](#) Responsibility.
- [13.24.040](#) Equipment.

### **13.24.010 Defined.**

The term "funeral escort service" means any person, firm or corporation employed by a funeral establishment for the purpose of providing vehicular escort for a funeral procession.

### **13.24.020 Authority.**

Any person or persons employed as a funeral escort service while carrying out the function of a funeral escort may direct traffic as necessary to allow the safe and expeditious travel of a funeral possession.

#### **13.24.030 Responsibility.**

The authority granted in Section [13.24.020](#) does not relieve a person acting as a funeral escort from the duty to operate in a manner that insures the safety of all persons or property.

#### **13.24.040 Equipment.**

Vehicles used to escort funeral processions may display warning lights as permitted in Oregon Revised Statutes while actually engaged in escorting a funeral procession.

### **Chapter 13.28 PEDESTRIANS**

Sections:

- [13.28.010](#) Use of sidewalks.
- [13.28.020](#) Crossing at right angles.
- [13.28.030](#) Use of crosswalk required.

#### **13.28.010 Use of sidewalks.**

Pedestrians shall not use any roadway for travel when sidewalks abutting the same are available.

#### **13.28.020 Crossing at right angles.**

No pedestrian shall cross a street at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a marked crosswalk. Violation shall be a fine of not more than \$50.

#### **13.28.030 Use of crosswalk required.**

No pedestrian shall cross a street other than within a crosswalk in blocks with marked crosswalks. Violation shall be a fine of not more than \$50.

### **Chapter 13.32 PARADES – PROCESSIONS**

Sections:

- [13.32.020](#) Parade/processional permits required.
- [13.32.030](#) Drivers in procession.
- [13.32.040](#) Driving through procession.

#### **13.32.020 Parade/processional permits required.**

No procession or parade, except a funeral procession, the forces of the United States Armed Forces, and the military forces of this State, shall occupy, march, or proceed along any street except in accordance with a temporary right-of-way permit. The

permit may be granted where it is found that the parade is not to be held for any unlawful purpose and will not in any manner tend to a breach of the peace, cause damage, or unreasonably interfere with the public use of the streets, or the peace and quiet of the inhabitants of this City.

#### **13.32.030 Drivers in procession.**

Each driver in a funeral or other procession shall drive as near to the right-hand edge of the street as practical and shall follow the vehicle ahead as closely as is practical and safe.

#### **13.32.040 Driving through procession.**

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while in motion, except where traffic is controlled by traffic signals or when otherwise directed by a law enforcement officer. This provision does not apply to authorized emergency vehicles.

### **Chapter 13.33 TEMPORARY RIGHT-OF-WAY USE PERMIT**

Sections:

- [13.33.010](#) Permit required.
- [13.33.020](#) Application.
- [13.33.030](#) Standards and conditions.
- [13.33.040](#) Revocation – Renewal.

#### **13.33.010 Permit required.**

No person or persons shall obstruct or make use of a public street, sidewalk, or other right-of-way for the purpose of a public or private gathering, parade or processional, display advertising, offering of services, food or other merchandise, promotional event or making use of a public right-of-way which would limit the unobstructed use of such by the general public, without first obtaining a temporary right-of-way permit.

#### **13.33.020 Application.**

Application for a temporary right-of-way use permit shall be made on the form provided by the City and shall contain:

- (1) The name of the person or organization requesting the permit; and
- (2) A description of the intended use, routes, size of display, and, if required, a drawing or site plan which indicates size, materials, and location of the intended use.

#### **13.33.030 Standards and conditions.**

The City Manager shall review each application with consideration to existing laws and ordinances, disruption of, or hazards to safe vehicle and pedestrian movement and authorize those activities which will be permitted. Should an application for a permit be denied, the applicant may appeal to the City Council.



### **13.33.040 Revocation – Renewal.**

The permit shall be valid for the period specified thereon and may be renewed annually. Permits may be revoked or renewal thereof denied for violation of conditions placed on the permit, or for any fraud or misrepresentation in the application.

## **Chapter 13.36 GENERAL REGULATIONS**

Sections:

- [13.36.010](#) Damaging sidewalks and curbs.
- [13.36.020](#) Obstructing streets.
- [13.36.030](#) Removing glass and debris.
- [13.36.040](#) RVs and temporary habitation. Motor vehicle or recreational vehicle use for sleeping or housekeeping purposes and related parking restrictions.
- [13.36.050](#) Use of Dynamic Braking Devices (Jake brakes)
- [13.36.060](#) Penalties.

### **13.36.010 Damaging sidewalks and curbs.**

(1) The driver of a vehicle shall not drive upon or within any sidewalk or parkway area except to cross at a permanent or temporary driveway.

(2) No person shall place any dirt, wood or other material in the gutter or space next to the curb of any street with the intention of using the same as a driveway.

(3) No person shall remove or damage in any way any portion of any curb or move any heavy vehicle or thing upon or over a curb or sidewalk without first notifying the City Engineer, and such person shall be held responsible for any and all damage.

### **13.36.020 Obstructing streets.**

No person shall park or leave any vehicle or any part thereof, or any trailer, box, ware or merchandise of any description, basketball hoop, or any other thing that in any way impedes traffic, or obstructs the view, upon any street, including an alley, parking strip, sidewalk or curb, except by such lawful use and parking of vehicles upon streets and alleys as is allowed by this title or other ordinances of this City; or in which a valid right-of-way permit has been obtained from the City and is affixed to the object in question .

### **13.36.030 Removing glass and debris.**

Any person causing glass to be broken upon, or any party to a collision or other vehicle accident upon any street in this City shall immediately remove or cause to be removed from such street all glass and other foreign substance.

### **13.36.040 RVs as Temporary Habitation. Motor vehicle or recreational vehicle use for sleeping or housekeeping purposes and related parking restrictions.**

It is unlawful, within the City limits, for any person to use, allow to use, or permit to use on their private property a motor vehicle or recreational vehicle for sleeping or housekeeping purposes except as follows:

- (1) Within an approved recreational vehicle park;
- (2) On the premises of a private residence and with the consent of the occupant of the residence; vehicles may be stored, but not used for continuous human habitation. The use of boats, trailers, detached campers, recreational vehicles, fifth-wheelers,

motorized dwellings, travel trailers, tent trailers, tents, and similar recreational facilities for temporary habitation is limited to 30 days in a 12-month period within the City limits. No property may have more than one recreational vehicle, fifth-wheel, travel trailer, tent trailer, tent, or any combination thereof, occupied concurrently. Each occupied recreational vehicle accrues one day toward the 30-day limit for each night it is occupied. For example, a trailer occupied for 10 days and a tent for 4 days, results in 14 days of occupation. At the City's sole discretion, the City may grant one 30-day extension upon receiving a written request at least 10 days prior to the expiration of the 30-day period. Exceptions shall require written authorization from the City;

(3) Within a public right-of-way, parking of self-contained recreational vehicles is limited to 72 hours, with the consent of the adjacent property owner. In addition, parking of any such vehicle is further limited by the provisions of MMC [13.21.030](#) and all other regulations pertaining to the parking of vehicles;

(4) When conditions require, and with the consent of the property owner and all adjacent property owners which share a property line with the subject property, the city manager may approve a special temporary use permit for recreational vehicle use of up to 90 days duration in order to alleviate a temporary housing hardship which cannot otherwise be satisfied within a recreational vehicle park, additional time may be approved by the City in extenuating circumstances. Such approval may be subject to any conditions which the city manager deems appropriate to maintain public safety and community aesthetics. In addition, any such permit may be revoked at any time by action of the city manager and/or city council.

(a) It is unlawful for any person to discharge wastewater from a recreational vehicle to a storm sewer, sanitary sewer, street, or upon private property except at an approved holding facility or dump station.

(b) No utility connections shall be made across public right-of-way to a vehicle except by temporary permit issued by the City Engineer. Any utility connection must comply with ADA regulations (e.g. exterior covering or protection of the connection).

### **13.36.050 Use of Dynamic Braking Devices (Jake brakes)**

(1) No person shall use within the City limits any dynamic braking device on any motor vehicle, except to avoid imminent danger to persons or property.

(2) A dynamic braking device, commonly referred to as a Jake or Jacob brake, is one used primarily on trucks and buses to convert a motor from an internal combustion engine to an air compressor for the purpose of vehicle braking without the use of wheel brakes. (Ord. 97, passed 7-8-2003; Code 2014 § 70.01)

### **13.36.060 Penalties.**

Any person violating any of the provision of this chapter is subject to those penalties set forth in the respective Oregon Revised Statutes, and if not referenced in the Oregon Revised Statutes, then by a civil penalty of not more than \$1,000 per occurrence.

## Chapter 13.40 BICYCLES

Sections:

- [13.40.010](#) Riding on sidewalks.  
[13.40.020](#) Parking.

### **13.40.010 Riding on sidewalks.**

Any person riding a bicycle upon a sidewalk shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian. Violation shall be a fine of not more than \$50.

### **13.40.020 Parking.**

No person shall park a bicycle upon a street or upon a sidewalk except in a rack to support the bicycle or against a building or at the curb, in such manner as to afford the least obstruction to pedestrian traffic. Violation shall be a fine of not more than \$50.

## Chapter 13.70 ABANDONED VEHICLES

The City of Millersburg has adopted and implements the Oregon Revised Statutes pertaining to the process and procedures for abandoned vehicles within the City of Millersburg.

## Chapter 13.90 PRIVATE PROPERTY IMPOUNDS

Sections:

- [13.90.010](#) General provisions.  
[13.90.020](#) Definitions.  
[13.90.030](#) Conditions.  
[13.90.040](#) Prohibitions.  
[13.90.050](#) Photographs.  
[13.90.060](#) Offer transportation assistance to vehicle owner/owner's agent.  
[13.90.070](#) Animals in towed vehicles.  
[13.90.080](#) Notification following the tow.  
[13.90.090](#) Release of vehicle.  
[13.90.100](#) Release at scene.  
[13.90.110](#) Regulations.  
[13.90.120](#) Predatory tow practices.  
[13.90.130](#) Towing and storage rates.  
[13.90.140](#) Penalty.  
[13.90.150](#) Citizen complaints.  
[13.90.160](#) Operator's license.

### **13.90.010 General provisions.**

(1) Purpose. The purpose of the Private Property Impound (PPI) Code is to require that towing from private parking facilities be performed safely and at a reasonable price. Because towing from private parking facilities affects City residents and visitors, regulation is necessary to ensure that the public safety and convenience are protected.

(2) Conformity to State Laws. The PPI Code shall be construed in conformity with the laws and regulations of the State of Oregon Motor Vehicle Code regarding towing from private property.

(3) Savings Clause. If any provision of the PPI Code is found by a court of competent jurisdiction to be invalid, illegal, or unenforceable, such holding shall not affect the validity, legality, and enforceability of any other provision of the PPI Code.

### **13.90.020 Definitions.**

For the purposes of the PPI Code, the following definitions apply. Terms, phrases, words, abbreviations, and their derivatives used, but not specifically defined in this section, either shall have the meanings defined in the State of Oregon Motor Vehicle Code, or if not therein defined, shall have the meanings commonly accepted in the community.

(1) "Owner's agent" means a person bearing documentation from the registered owner officially authorizing them to possess or operate the vehicle.

(2) "Private parking facility" means any property used for motor vehicle parking at which the property owner or manager restricts or reserves parking, including, but not limited to, mobile home parks, apartment complexes, private gated communities and business or shopping centers or malls.

(3) "Private parking facility owner" means the owner, operator, lessee, manager or other person(s) in lawful possession of a private parking facility, or any designated agent of the private parking facility owner.

(4) "Private property impound(s)" or "PPI" means the impoundment of a vehicle from a private parking facility at the request of the property owner, operator, lessee, manager, or person in lawful possession of the private property facility, without the prior consent of the vehicle's registered owner.

(5) "Release at scene fee" (RAS fee) means the fee allowed to be charged when a vehicle owner/owner's agent returns before the PPI tower has departed in tow. Not applicable until the hookup is complete and tow truck is in motion.

(6) "Temper fee" means an additional charge assessed by a tow driver when someone uses offensive language or is perceived as aggressive.

(7) "Towing" means to draw or pull along a vehicle by means of a tow truck or car carrier.

(8) "Towing firm" or "tower" means any entity whose business includes the towing of motor vehicles from private parking facilities and the subsequent storage of such towed vehicles.

(9) "Vehicle owner" means the person registered with the Department of Motor Vehicles as the owner of the vehicle.

### **13.90.030 Conditions.**

All PPI towers operating within the City of Millersburg shall:

- (1) Perform all PPI tows in a safe manner, taking care not to cause damage to the person or property of others while towing or storing a vehicle; and
- (2) Practice courtesy and professionalism when dealing with law enforcement and persons redeeming or seeking to redeem a towed vehicle; and
- (3) Cooperate fully with any law enforcement agency to facilitate processing of evidence associated with any PPI towed vehicle identified as a possible stolen vehicle; and
- (4) Be considered in possession of any vehicle towed under this chapter, and therefore entitled to charge a release at scene fee, when the hookup is complete and the tow truck has begun towing the motor vehicle by engaging the tow truck's transmission and moving forward.

#### **13.90.040 Prohibitions.**

PPI towers operating within the City of Millersburg under this chapter shall not:

- (1) Require any vehicle owner/owner's agent to make any statement or sign any document promising not to dispute validity of the tow or fees assessed or relieving the PPI tower from responsibility for the condition of the vehicle or its contents;
- (2) Solicit PPI towing business by means of payment of a gratuity, commission or any other consideration to the private property owner, operator, manager or employee;
- (3) Remove a vehicle from a private parking facility unless the hookup has been completed and all safety equipment has been attached;
- (4) Use predatory tow practices, as described in MMC [13.90.120](#);
- (5) Charge or assess a temper fee;
- (6) Charge fees in excess of those in MMC [13.90.130](#); or
- (7) Place towed vehicles in storage outside of the City of Millersburg. Exemptions may be granted by the Law Enforcement Agency serving the City but at no greater distance than five miles outside of the City of Millersburg.

#### **13.90.050 Photographs.**

Prior to performing private property facilities impound, using a digital camera with time and date stamp, the PPI tower shall photograph the vehicle to be towed and the parking facility signage. Such photographs shall illustrate the conditions of the vehicle's location that warrant such an impound, and be made available upon request by the law enforcement agency or the City, pursuant to a complaint investigation or audit. The tow company is not allowed to charge a fee for photographs.

#### **13.90.060 Offer transportation assistance to vehicle owner/owner's agent.**

Pursuant to ORS [822.230](#)(3)(d), PPI towers shall offer to either provide transportation for the vehicle owner/operator from the immediate vicinity of the location from which the vehicle was towed to the tower's storage lot for release of the vehicle, or make a call on behalf of the vehicle owner to arrange transportation.

#### **13.90.070 Animals in towed vehicles.**

Vehicles with any live animal will not be towed.

#### **13.90.080 Notification following the tow.**

The PPI tower shall notify the Linn County Sheriff's Office within 15 minutes after the PPI tower takes possession of a vehicle by providing the details of the tow including:

- (1) Vehicle license plate (to verify against prior notice information);
- (2) Issuer state of license plate;
- (3) Expiration date of license plate;
- (4) VIN (vehicle identification number), if visible;
- (5) Make of vehicle;
- (6) Model of vehicle;
- (7) Style of vehicle;
- (8) Year of vehicle;
- (9) Color of vehicle;
- (10) Address from which the vehicle was towed or released at the scene;
- (11) Address to which the vehicle was towed;
- (12) Name of the business and person who authorized the tow;
- (13) Name and phone number of tow company.

### **13.90.090 Release of vehicle.**

(1) Upon release of the vehicle to the registered owner/owner's agent, the PPI tower must provide an itemized receipt of tow charges.

(2) Within 15 minutes of releasing a vehicle to the registered owner/owner's agent or foreclosing on possessory lien, the PPI tower shall notify the Law Enforcement Agency serving the City of Millersburg by telephone.

(3) The PPI tower must have personnel available at the storage facility to release a vehicle within 30 minutes after receiving a request for vehicle release.

### **13.90.100 Release at scene.**

(1) If the vehicle owner or operator returns to the vehicle while the tower is still attaching equipment to the vehicle, or the vehicle is fully attached but the tow driver is still outside the cab of the tow truck, or if the tow driver has entered the cab of the tow truck but has not yet engaged the tow truck's transmission to begin removal of the towed vehicle; the PPI tower shall release the vehicle to the vehicle owner or operator at no charge.

(2) If the vehicle owner or operator stops the PPI tower when the hookup is complete and the tow truck is in motion with the vehicle, the PPI tower shall immediately halt the tow and inform the vehicle owner of the amount of the RAS fee, and that the vehicle owner has up to 15 minutes, without additional charge, to provide payment of the RAS fee. If the RAS fee is collected, the tower shall unhook the vehicle and release it to the vehicle owner/owner's agent. If the vehicle owner/owner's agent fails to provide payment within 15 minutes, the PPI tower may proceed to tow the vehicle to the storage facility.

### **13.90.110 Regulations.**

(1) It shall be unlawful to tow a vehicle from a private parking facility unless:

(a) The private parking facility owner/operator gives the private property impound (PPI) tower express written authorization identifying the specific vehicle, signed at the time of the tow.

(2) Signage. It shall be unlawful to tow a vehicle from a private parking facility unless the private parking facility meets the following signage requirements:

(a) At least one sign shall be posted and readily visible at each entryway into the parking lot, not more than 10 feet from the public right-of-way or street edge. Such signs shall:

- (i) Be posted so that the center of the sign is not more than eight feet or less than four feet above the ground; and
- (ii) Be at least 16 inches by 24 inches in size; and
- (iii) Be printed in letters not less than two inches high; and
- (iv) State that parking is prohibited, reserved or otherwise restricted; and
- (v) State who is authorized to park and the hours during which parking is restricted. (Example: "Parking for customers of \_\_\_\_\_ only during \_\_\_\_\_ hours"); and
- (vi) State that towing and storage of a vehicle will be at the owner's expense; and
- (vii) Prominently display the PPI tower's name and 24-hour telephone contact number for release of a vehicle; and
- (viii) Be maintained so as to remain legible and unobstructed by any tree, shrub, bush, vehicle or other obstacle; and
- (ix) When replacing missing or defaced signs, new signs must be posted for a minimum of 24 hours before towing commences or resumes.

(b) When a private parking facility is shared by multiple business operations (e.g., shopping mall or office park), parking spaces must be marked, or signs posted, so as to indicate which spaces are reserved for each business.

(c) PPI towers may request an exception to the rules for sign location. Such request shall be made to the City Manager or his/her designee and must be made in writing and offer an alternative posting for approval.

(d) Fire lanes from which vehicles may be towed shall be marked in compliance with the Oregon Fire Code.

(e) Signage shall not be required if the vehicle being towed has been properly posted as abandoned per ORS [98.830](#).

### **13.90.120 Predatory tow practices.**

It shall be unlawful for a PPI tower to do any of the following:

- (1) Park within 1,000 feet of a private parking facility for the purpose of covert observation in order to obtain PPI tows;
- (2) Post any observer at or near a private parking facility for the purpose of monitoring and ordering towing; and
- (3) Patrol private parking facilities for the purpose of monitoring motor vehicles to tow.

### **13.90.130 Towing and storage rates.**

(1) Rates and fees for PPI towing, RAS, and storage shall be set by Council resolution.

(2) The PPI tower must accept at least the following methods of payment for any fees or rates assessed:

(a) Cash. Adequate cash must be available at all times at the storage facility and with the tow driver for the purpose of making change.

### **13.90.140 Penalty.**

(1) Any violation of this chapter shall be deemed a misdemeanor as provided under MMC [1.20.030](#), unless the City requests it to be treated as a violation.

(a) Violation: a civil penalty of not more than \$1,000 or such sum as may be provided in the ordinance defining the offense.

(b) Misdemeanor: a fine of not more than \$2,500 or imprisonment not to exceed one year, or both such fine and imprisonment.

(2) Upon a finding of a violation of any section of this PPI Code by a PPI tower, the Linn County Justice Court may direct release of a vehicle at no charge, or a refund of all or part of fees paid by a vehicle owner/owner's agent for towing and storage, in lieu of, or in addition to civil penalties or other remedies under this code.

(3) Nothing in this section is intended to prevent any person from pursuing private legal remedies.

### **13.90.150 Citizen complaints.**

(1) A vehicle owner/operator whose vehicle has been impounded, or who has paid an RAS fee, has 90 days from the date of the tow to file a written complaint against the PPI tower with the Law Enforcement Agency serving the City of Millersburg.

(2) The Law Enforcement Agency shall provide a copy of the written complaint to the PPI tower within 15 days of receipt.

(3) The PPI tower shall provide a written statement of response within 10 days of the date it received the complaint, unless an extension is granted by the Law Enforcement Agency. The response shall include all documentation requested by the Law Enforcement Agency, including a copy of the agreement or signed invoice authorizing the tow, an explanation for how the circumstances justified the tow, an itemized receipt of tow charges, and the photograph of the vehicle and signs at the scene of the tow as required by this chapter.

(4) After reviewing the complaint and the response provided by the PPI tower, the Law Enforcement Agency shall determine whether the tow was properly performed under this chapter and, if not, the appropriate remedy as set forth under MMC [13.90.140](#). The Law Enforcement Agency shall submit a written decision and mail it to each party within 75 days from the date of receipt of the original complaint. The PPI tower and/or vehicle owner/operator can seek remedies through civil process. (Ord. 5888 § 1, 2017).

### **13.90.160 Operator's license.**

Each applicant for an operator's license shall apply to the City of Millersburg for such license upon such form as prescribed by the City of Millersburg and shall include thereon the following information:

(1) Name and post office address of the business;

(2) Name and post office address of the owner/applicant (if a partnership or joint venture, the application must so state and contain the names and addresses of all parties thereto);

(3) Address of storage yard(s) where PPI tows will be taken to;

(4) A license under this section expires annually on December 31st;

(5) A license under this section may be suspended or revoked for a violation of ORS [98.854](#) or [98.859](#).



**ORDINANCE NO. 177-20**

**AN ORDINANCE AMENDING MILLERSBURG  
MUNICIPAL CODE TITLE 14**

**WHEREAS**, the City of Millersburg has jurisdiction and exercises regulatory control over all public rights-of-way within the City under the authority of the City charter and State law; and,

**WHEREAS**, the City of Millersburg desires to protect the health and safety of the public within the public rights-of-way; and,

**WHEREAS**, the City of Millersburg desires to preserve the integrity of facilities within the public rights-of-way through the regulation of activities and work; and,

**WHEREAS**, the City of Millersburg desires to facilitate the orderly conduct of work within the public rights-of-way and set forth uniform requirements for work;

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF MILLERSBURG DO ORDAIN AS FOLLOWS:** Millersburg Municipal Code Chapters 14.11, 14.12, 14.16, and 14.28 are hereby adopted; and,

**FURTHERMORE**, Millersburg Municipal Code Chapters 14.20 and 14.40 are hereby repealed; and,

**FURTHERMORE**, Millersburg Municipal Code Section 14.30.010 is hereby repealed and replaced with the following:

"It is the duty of all owners of land adjoining any street or sidewalk or right-of-way in the City to conform with the requirements of Millersburg Municipal Code Section 7.30.130 for maintenance of vegetation."

This Ordinance becomes effective thirty (30) days from the date of passage.

**PASSED by the Council this 8th day of September, 2020.**

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Jim Lepin  
Mayor

ATTEST:

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Kimberly Wollenburg  
City Recorder

## Title 14 STREETS AND SIDEWALKS

### Chapters:

#### **14.04 ENCROACHMENTS**

- 14.04.010 Conditions of license.
- 14.04.020 Limitations.
- 14.04.030 Notices.
- 14.04.040 Liens.

#### **14.11 USE OF STREETS FOR CONSTRUCTION AND REPAIR**

- 14.11.010 Permit.

#### **14.12 EXCAVATIONS**

- 14.12.010 Definitions.
- 14.12.020 Permit required.
- 14.12.030 Application for permit.
- 14.12.040 Security.
- 14.12.050 Issuance of permit.
- 14.12.060 Conduct of work.
- 14.12.080 Notice of completion of work.
- 14.12.090 Barricades and safety measures.
- 14.12.100 Liability for accidents.
- 14.12.110 Repairs.
- 14.12.120 Option to City to replace pavement.
- 14.12.130 Applicability to City employees.
- 14.12.140 Emergencies.

#### **14.16 SIDEWALK REPAIRS**

- 14.16.010 Owner duty – Council power.
- 14.16.020 Notice of defective sidewalks.
- 14.16.030 Permit for repairs.
- 14.16.040 Repairs by City.
- 14.16.050 Assessment for repairs by City.
- 14.16.060 Liability of owners.

#### **14.28 PEDESTRIAN AND BICYCLE PATHS**

- 14.28.120 Pedestrian and/or bicycle paths – Establishment designated.
- 14.28.130 Pedestrian and/or bicycle paths – Motor vehicles prohibited.
- 14.28.140 Pedestrian and/or bicycle paths – Violation – Penalty.

## Chapter 14.04 ENCROACHMENTS

### Sections:

- [14.04.010](#) Conditions of license.
- [14.04.020](#) Limitations.
- [14.04.030](#) Notices.
- [14.04.040](#) Liens.

#### **14.04.010 Conditions of license.**

The City Manager shall have authority to issue license to occupy public property, including rights-of-way, subject to the following conditions:

- (1) The City Manager shall find that the occupation of the public property or right-of-way shall not constitute unreasonable obstruction for public use at the time the license is granted;
- (2) A property owner receiving the license shall assume all liability arising from use of the public rights-of-way or public properties;
- (3) All licenses issued under this chapter shall be subject to revocation without cause after 90 days' written notice by the City to the licensee;
- (4) All licenses issued under this chapter may be revoked for failure to comply with the terms of the license, after the City has given the licensee 10 days' notice or revocation.

#### **14.04.020 Limitations.**

Any license issued under this chapter shall include any terms or conditions deemed to be in the public interest within the following limits:

- (1) No encroachment onto any existing public sidewalk shall exceed five inches;
- (2) In areas where no sidewalks are existing at the time the license shall be granted, the encroachment shall not extend over the established curb line of the street;
- (3) No encroachment into a public alley shall exceed four feet.

#### **14.04.030 Notices.**

All notices provided to be given in this chapter shall be in writing addressed to the licensee as his/her address appears at the assessor's records of the county in which the property is located. For the purpose of this chapter only, a license issued hereunder shall be to the owner of the property abutting the proposed encroachment upon public way and the license shall be one that runs with the land and the obligations of this chapter and the conditions of license shall attach to the land and succeed to each owner of the land abutting the encroachment.

**14.04.040 Liens.**

Upon notice to remove an encroaching structure from public rights-of-way or public property, the licensee shall remove the encroachment within 10 days after receipt of notice. In the event the licensee shall fail to remove the encroachment within 10 days after receipt of notice, the City shall have the authority to remove the encroachment and the cost of removal shall become a lien against the real property abutting the encroachment. The lien so created shall be subject to foreclosure pursuant to the foreclosure laws of the State in the same manner as foreclosure of mechanic's liens.

### **Chapter 14.11 USE OF STREETS FOR CONSTRUCTION AND REPAIR**

Sections:

[14.11.010](#) Permit.

**14.11.010 Permit.**

No person shall use or occupy a street, alley, or public sidewalk for performance of work under a building permit except in accordance with the provision of Chapter 33 of the Oregon Structural Specialty Code.

### **Chapter 14.12 EXCAVATIONS**

Sections:

[14.12.010](#) Definitions.  
[14.12.020](#) Permit required.  
[14.12.030](#) Application for permit.  
[14.12.040](#) Security.  
[14.12.050](#) Issuance of permit.  
[14.12.060](#) Conduct of work.  
[14.12.080](#) Notice of completion of work.  
[14.12.090](#) Barricades and safety measures.  
[14.12.100](#) Liability for accidents.  
[14.12.110](#) Repairs.  
[14.12.120](#) Option to City to replace pavement.  
[14.12.130](#) Applicability to City employees.  
[14.12.140](#) Emergencies.

**14.12.010 Definitions.**

The following words and phrases when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this

section, except in those instances where the context clearly indicates a different meaning.

(1) "Person" means every natural person, firm, co-partnership, association, or corporation.

(2) "Street" means every way or place open as a matter or right to use of the public for vehicular traffic and lying between curb lines.

(3) "Tunnel" means an excavation requiring the removal of dirt or like material and does not include driving or forcing of pipe through the ground.

#### **14.12.020 Permit required.**

It is unlawful for any person to cut, break, dig up, damage in any manner, undermine or tunnel under any public street or alley without first complying with the provisions of this chapter in regards to the obtaining of permits, depositing of securities, and the making of applications to the City Engineer. Applications for permits shall be in the form prescribed by the City Engineer. Permits shall be issued on an annual basis or for a limited time and shall specify the extent of the authority granted by the permit.

#### **14.12.030 Application for permit.**

(1) In the event of the application for permit for a limited time and for a specific cut or break in a street or alley, the applicant shall specify his/her name and address, the date of application, the name of the street or alley to be cut or tunneled under; the nature of the street surface or of pavement involved; the purpose of the work; the size and nature of the cut or excavation; the number of days required to complete the work; and an agreement to deposit such securities as required by the City Engineer, to comply with the provisions of this chapter and with the specifications of the City Engineer pertaining to the conduct of the work, to hold the City and its employees harmless against any injury or damage which may result from the actions of the applicant, and to file a report of the work done within 48 hours of its completion. Application for each permit to be issued for a limited time and for a specific cut or break in the street or alley shall be accompanied by a fee as adopted by resolution of the Millersburg City Council.

(2) The application for an annual permit shall be in a form as prescribed by the City Engineer and shall specify the name and address of the applicant; the date of the application; an agreement to deposit such security as required by the City Engineer, to comply with the provisions of this chapter; an agreement to hold the City and its employees harmless against any injury or damage as a result of the actions of the applicant, and to file a report of all work done under the permit within 10 days after the initial cut or break in the alley or street has been made. Application for an annual permit shall be accompanied by a fee as adopted by resolution of the Millersburg City Council.

**14.12.040 Security.**

Before the issuance of any permit, the City Engineer shall require the applicant to file with him/her as security either:

(1) In the event an annual permit is requested, a surety bond in the amount of \$5,000. In the event of an application for a permit for one particular cut or break in an alley or street, a surety bond in the amount fixed by the City Engineer, but not to exceed \$2,500. This bond may be left on deposit with the City for a period of one year. The bonds in either of said cases to be conditioned that the applicant will, immediately upon the completion of the work, remove all surplus earth, rubbish, or other materials, replace the pavement cut or undermine in a condition as good as or better than it was before, and keep the same in good repair, at his/her own expense, for a period of time to be designated by the City Engineer, but not to exceed one year from the completion of the work;

(2) In lieu of the above mentioned surety bond, the applicant may file as security cash or certified check in an amount equal to twice the estimate of replacement value of pavement to be cut, together with the costs of reexcavation and refilling with proper materials, if necessary, as determined by the City Engineer, to be held and returned subject to the same conditions as set forth in the case of surety bonds; provided, however, that in the case of unimproved streets, no security shall be required, unless, in the opinion of the City Engineer, such security is necessary for the protection of the public interest.

**14.12.050 Issuance of permit.**

If the City Engineer is satisfied that the excavation, cut or tunnel is feasible and proper, that the application has been made in due form, that adequate security has been filed, as required by provisions of this chapter and upon payment of the permit fee, he/she shall issue a permit which shall designate the name and address of the persons to whom the permit is granted; the date of issuance of the permit; the street or streets to be cut or tunneled under; the estimated time in which the work is to be completed; and such other restrictions as may be deemed necessary or proper by the City Engineer for the safety of the public or protection of public interests.

**14.12.060 Conduct of work.**

All work under such permits shall be done in conformity with the provisions of this chapter, the terms of the application and permits, and in a manner approved by the City Engineer. Upon completion of the excavation, cut or tunnel, all surplus earth, rubbish, or other materials shall be removed immediately and the street surface or pavement shall be replaced in as good as or in better condition than it was before.

**14.12.080 Notice of completion of work.**

All persons shall, on or before the tenth day of the month following the month in which the cut or excavation was completed, report the completion to the City, and report the exact location of the cut or excavation.

#### **14.12.090 Barricades and safety measures.**

Whenever any person or corporation shall, under authority of this chapter or otherwise, place any obstruction in a street or alley or make any excavation therein for any purpose whatsoever, it shall be the duty of such person or corporation to keep the obstructions or excavation properly safeguarded by substantial barricades and display lighted red lanterns or other lights or flares from dusk until daylight in conformity with such regulations as may be specified by the City Engineer. Whenever, in the opinion of the City Engineer, the public safety is so seriously endangered by such cuts or excavations as to require constant supervision from dusk to daylight to insure that all barricades are in proper condition and location, all warning lights are burning, and all traffic is properly routed around such barricades, the person to whom the permit for work has been granted shall be responsible for furnishing a night watchperson for that purpose.

#### **14.12.100 Liability for accidents.**

Every person or corporation having occasion to place any obstruction in any street or alley or to make any excavation therein under provision of this chapter, shall be responsible to anyone for any injury by reason of the presence of such obstruction or excavation on the public highways when the obstructions or excavation is the whole proximate cause of the injury and shall also be liable to the City, in the event that the City is held responsible for any action or claims or otherwise arising out of the presence of the obstruction or excavation on the public highway.

#### **14.12.110 Repairs.**

All persons to whom such permits are granted shall be personally responsible for the maintenance and repair of the street surface or pavement cut, dug up, damaged, tunneled under, undermined, under the provisions of the permits, in as good as or better condition than before such work was undertaken, at their own expense, and for such a period of time as required by the City Engineer, but not to exceed one year.

#### **14.12.120 Option to City to replace pavement.**

Whenever, in the opinion of the City Engineer, it would be to the best interest of the City for the City itself to replace or repair the street surface or pavement cut, damaged, tunneled under, or undermined under the provisions of this chapter, such work shall be done by the City under the direction of the City Engineer and the cost of the work shall be either charged to the person to

whom the permit for the cut or excavation has been granted or deducted from security deposited by him/her with the City.

#### **14.12.130 Applicability to City employees.**

The provisions of this chapter shall not be deemed to apply to the construction or maintenance of pavement by the City, by its employees, or by persons operating under contract with the City.

#### **14.12.140 Emergencies.**

In the event of an emergency affecting the public safety, a cut may be made in a street or alley providing that a report of the cut is made to the City Engineer within 48 hours, and all provisions of this chapter complied with as though making an application for an original permit.

### **Chapter 14.16 SIDEWALK REPAIRS**

Sections:

- [14.16.010](#) Owner duty – Council power.
- [14.16.020](#) Notice of defective sidewalks.
- [14.16.030](#) Permit for repairs.
- [14.16.040](#) Repairs by City.
- [14.16.050](#) Assessment for repairs by City.
- [14.16.060](#) Liability of owners.

#### **14.16.010 Owner duty – Council power.**

It is hereby made the duty of all owners of land adjoining any street in the City to maintain in good repair the sidewalks in front of the land. The Council shall have the power and authority to determine the grade and width of all sidewalks, the material to be used, and the specifications for the repair thereof, upon any street or part thereof, or within any district in the City.

#### **14.16.020 Notice of defective sidewalks.**

(1) If the owner of any lot or part thereof or parcel of land allows any sidewalk along the same to become out of repair, it shall be the duty of the City Engineer, his/her deputy or any persons appointed by the Council for that purpose, to give notice to the owner of the property adjacent to the defective sidewalk to repair it. The notice shall direct the owner, agent or occupant of the property to immediately repair the same in a good and substantial manner to comply with specifications for Millersburg's sidewalks.

(2) The notice to repair defective sidewalks shall be mailed by registered or certified mail, postage prepaid, to the record owner or owners of said property, or their agent at the address designated on the Linn County real property tax assessment rolls. The notice to repair defective sidewalks shall contain:



(a) A description of the real property, by street address or otherwise, adjacent to the defective sidewalk.

(b) A direction to repair the defective sidewalk within 60 calendar days from date of receipt of notice.

(c) A description of the work to be done.

(d) A statement that unless the deficiency is corrected within the time specified, the City may correct the deficiency, and the cost of the work shall be assessed against the real property adjacent to the repaired sidewalk.

(3) Upon completion of the mailing of notice to repair defective sidewalks, the persons doing said mailing shall keep an accurate record of the address and date of mailing said notice.

(4) An error in the name or address of the property owner/owners/agent shall not make the notice void, and in such case the notice shall still be sufficient.

#### **14.16.030 Permit for repairs.**

The owner, agent or occupant, before making the repairs, shall obtain from the City Engineer a permit to do so, which shall prescribe the kind of repair to be made, the material to be used and specifications therefor.

#### **14.16.040 Repairs by City.**

If the owner, agent or occupant of any such lot or part thereof, or parcel of land shall fail, neglect or refuse to make the sidewalk repairs within the time designated, the City Engineer shall make the same, and keep an accurate account of the cost of the labor and materials used in making the repairs in front of each lot or parcel of land and shall report to the Council the cost of the repairs, and a description of the lot or part thereof or parcel of land fronting on the sidewalk upon which such repairs are made.

#### **14.16.050 Assessment for repairs by City.**

The Council shall, at least once each year, by ordinance assess upon each of the lots or parts thereof or parcels of land fronting upon sidewalks which have been so repaired or laid the cost of making the repairs or laying the same including legal, administrative and engineer costs attributable thereto. In each case all such assessments may be combined in one assessment roll and the same shall be entered in the docket of City liens and collected in the same manner as is provided by ordinance for the collection of assessments for local improvements.

#### **14.16.060 Liability of owners.**

The owner or owners of land adjoining any street in the City shall be liable to any person suffering injury by reason of any defect in the sidewalks in front of the land.

## Chapter 14.28 PEDESTRIAN AND BICYCLE PATHS

Sections:

- [14.28.120](#) Pedestrian and/or bicycle paths – Establishment designated.
- [14.28.130](#) Pedestrian and/or bicycle paths – Motor vehicles prohibited.
- [14.28.140](#) Pedestrian and/or bicycle paths – Violation – Penalty.

### **14.28.120 Pedestrian and/or bicycle paths – Establishment designated.**

The City Council shall by resolution establish designated paths within the City for pedestrian and/or bicycle use only.

### **14.28.130 Pedestrian and/or bicycle paths – Motor vehicles prohibited.**

It is unlawful for any person to operate a motorized vehicle upon any designated pedestrian and/or bicycle path within the City, except for City authorized maintenance activities.

### **14.28.140 Pedestrian and/or bicycle paths – Violation – Penalty.**

Any person violating the provisions of this chapter shall be subject to those penalties provided in Chapter 1.20.030 of this code.



TO: Millersburg City Council

VIA: Kevin Kreitman, City Manager

FROM: Janelle Booth, Assistant City Manager/City Engineer

DATE: September 3, 2020 for the September 8, 2020 Council Meeting

SUBJECT: Traffic Calming Program Consideration

Action Requested:

Review of information and direction regarding traffic calming programs.

Discussion:

Staff regularly receive complaints of speeding and requests from residents for stop signs and speed bumps in neighborhoods throughout the City. As residential growth continues, the frequency of these types of complaints and requests has increased. When staff receive a report of a speeding concerns, we inform the Linn County Sheriff Office (LCSO) and request that they pay extra attention to the area. At times, we request the LCSO radar speed trailer be placed in an area of concern.

The majority of the requests for speed bumps and stop signs, are made with the goal of reducing speeds. Although these types of items can have some impact on speeds, they are not always the most effective way to increase safety, and sometimes can have unintended consequences. Although it may appear straightforward on the surface, each situation is unique and needs to be evaluated before a decision is made to select or install a traffic calming measure.

Some communities have Traffic Calming Programs, which allow them to evaluate these requests against defined criteria. Not all requests meet the criteria and qualify as a candidate for a traffic calming measure (based on the City of Albany's criteria, it is unlikely most of our streets would qualify for traffic calming measures). The City of Albany's Traffic Calming Program requires a study to document the extent of each issue and consideration of multiple traffic calming options. It also requires an investment from the neighborhood requesting the traffic calming device(s) to insure the majority of the neighborhood is in support of the request and is willing to participate in the cost of the project.

There are many ways a Traffic Calming Program could be structured, and Albany's is provided as an example. Their program includes an emphasis on neighborhood/community involvement and investment in the program to help insure that the residents are in agreement and are committed to the project. Albany staff have communicated that some of items listed as requirements of the applicant are actually performed by City staff because residents typically do not have the equipment or knowledge to perform the tasks. If Council wishes to

considering implementing a similar program, staff would recommend something less intensive than Albany's approach.

Prior to taking the step of beginning to develop a full-scale traffic calming program, staff recommends Council consideration of purchase or rental of equipment to collect data on speeds and traffic counts. There are some reasonably priced portable systems, which allow data collection as well as displaying vehicle speed feedback to drivers, if desired. Data collection would provide information that would be helpful in determining whether a need exists for traffic calming measures.

Staff would appreciate Council's feedback and direction.

Budget Impact:

This type of program could require a significant amount of time and resources, which could be challenging with current staffing resources available. A more detailed budget impact would be developed if Council directs staff to move forward with development of a program.

Attachment(s):

- City of Albany traffic calming program information

# City of Albany

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## Neighborhood Traffic Calming Program (NTCP)

Information and Application Packet

## INTRODUCTION

If you have requested a copy of this information and application packet, you are probably concerned with speeding or traffic on your neighborhood street. The Neighborhood Traffic Calming Program (NTCP) is designed to assist you and the City in both identifying and remedying these problems. Please read through this information packet carefully before you begin. We encourage you to speak with your neighbors about your concerns and enlist them in your efforts. If you have any questions before you begin, please call the City of Albany Public Works Department at 917-7655.

## BACKGROUND

The Neighborhood Traffic Calming Program (NTCP) was adopted by the Albany City Council in June, 2001. The NTCP is an element of the *Albany Transportation System Plan* and is a cooperative process between the City and the neighborhoods. It provides the citizens of the Albany a process for addressing their concerns about neighborhood traffic issues. The program also provides the City with a tool for evaluating the need for traffic calming as a result of traffic impacts in a neighborhood. Prior to implementation of this program, there was neither a standard for traffic calming devices nor a method to determine when a traffic calming device was warranted.

The NTCP is a program to assist neighborhoods in solving problems with traffic speed and volume. However, not all types of traffic problems belong in the traffic calming program. The City will assist the applicant to determine if the NTCP is the correct place to resolve the issue. The flow chart documenting this decision process is included on the next page of this application. **If at least fifty-one percent of the adjacent property owners are willing to participate in the cost of the device**, the problem meets the minimum requirements, and the plan receives both neighborhood and Traffic Safety Commission approval; the traffic calming device is installed according to City standards. In cases where the problem does not meet the minimum standards established in this program, the City will work with the applicant to see if the problem can be corrected through education or enforcement.

## CONTENTS

This information packet contains the following:

- An overview of the process.
- A step-by-step description of the process.
- The NTCP application form (yellow)
- The NTCP data collection forms (blue, red)
- Examples of Construction Mitigation Measures (lavender)
- Examples of Self-Help Mitigation Measures (orange)
- A Primary Emergency Response Route Map (inside back cover)

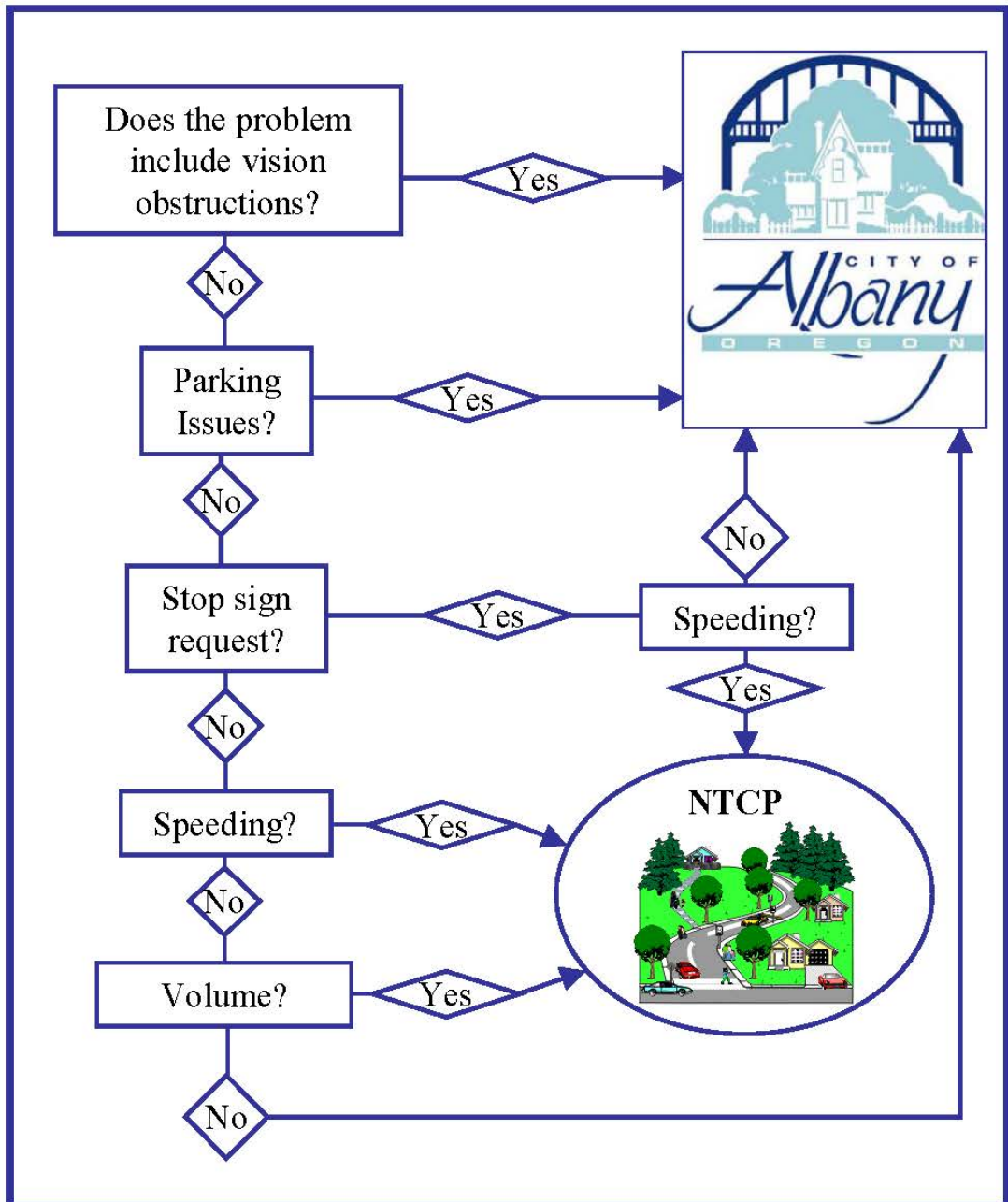
This packet will serve as the documentation for the project. All applicable information should remain with this packet until the project is completed and filed.



# Is Neighborhood Traffic Calming Appropriate?

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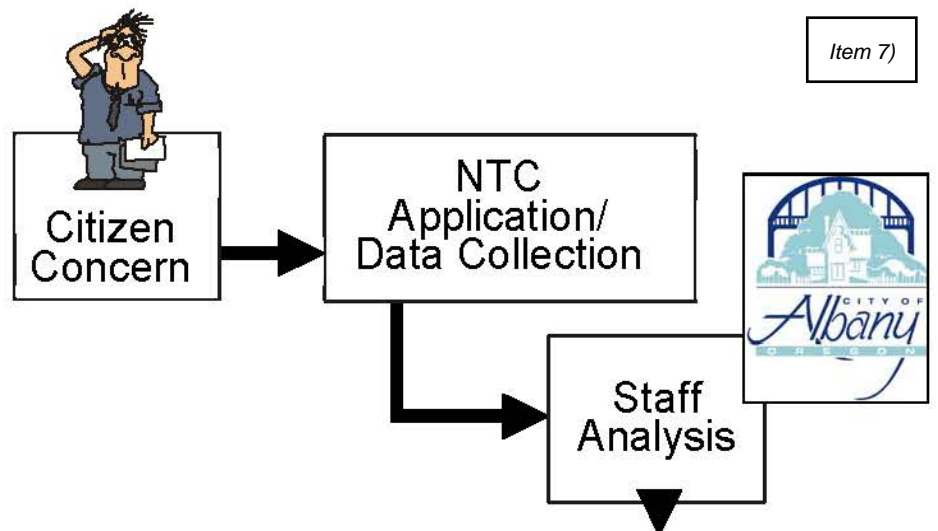
The flow chart on this page is designed to provide the applicant with a way to determine whether or not a problem should be processed through the NTCP, or if it should be forwarded to the City for evaluation and/or resolution. High traffic volumes and consistent speeding on residential streets are appropriate issues for the NTCP. Issues that are not appropriate for the NTCP include safety hazards (except speeding), street or sign maintenance requests, commuter or illegal parking, vision clearance problems, and proposals for changes in traffic signing or striping. If you have any questions about whether a problem is appropriate for NTCP that cannot be answered by the chart, please contact the Albany Public Works Department at 917-7655.



# STEP

## 1

### **Project Request and Preliminary Review**



## **Step 1 - Project Request and Preliminary Review**

When citizens have concerns about a specific traffic problem, they can contact the City of Albany at 917-7655 to obtain a copy of the application and information packet for the Neighborhood Traffic Calming Program (NTCP).

The application is the first sheet of this packet and has a yellow border. Instructions for filling out the application/checklist are located on the back of the form.

The next step in the process is to fill out the first section of the form and submit the application/checklist to the City.

The City will review the first section for completeness and fill the appropriate information in Section 2. The City will also evaluate the problem to ensure that the NTCP is the correct forum to solve the problem. There are some issues such as parking and stop signs that do not necessarily belong in the NTCP. If another program would be more appropriate, the City will provide the correct contact information to the applicant.

Once the City has determined that the application is complete and belongs in the NTCP, the applicant will be asked to perform preliminary data collection. Volume and speed counts will be required. The forms containing instructions for collecting the data are also included in this packet and are the forms with blue and green borders. It is the responsibility of the applicant to collect the data.

Once the data has been collected and submitted to the City, staff will perform another review of the problem. This review is to determine whether or not the problem meets the minimum criteria of the program. If additional data is required, the City may request additional information from the applicant or obtain the necessary information.

The City will contact the applicant to inform them of the status of the project after the determination has been made. If the problem DOES NOT meet minimum criteria, the project will not move forward in the program. The application will be returned to the applicant with the reason that the project did not move forward, in addition to recommendations that may be appropriate to help resolve the problem outside the NTCP. These recommendations include education or enforcement options.

# STEP

## 2

### Project Acceptance/ Ranking and Petition to Study



## Step 2 - Project Acceptance/Ranking and Petition to Study

Minimum criteria for the problem are identified in the table below.

### Minimum Criteria Table

Street Type	Median Speed	Volume	Fronting Land Use
Local	> 25 MPH	>1250vpd*	> 75% residential and institutional (including parks)
Collector	≥ Posted Speed	None	> 75% residential and institutional (including parks)
Arterial	≥ Posted Speed	None	> 75% residential and institutional (including parks)

\* vpd = vehicles per day

The residential restriction is to ensure that Neighborhood Traffic Calming can be implemented in neighborhoods. There are no volume restrictions on arterials or collectors, as these roadways are identified to carry higher volumes of traffic.

Appeals of the minimum criteria determination will be directed to the Traffic Safety Commission.

If the problem DOES meet the minimum criteria, the project will be ranked. Ranking will be accomplished by assigning a score to each project. The score will be calculated based on the roadway classification, speeds, volumes, proximity to a school, and availability of sidewalks. A breakdown of the values of each component are shown on the following page. Included in the table is a brief discussion of how the individual scores will be calculated.

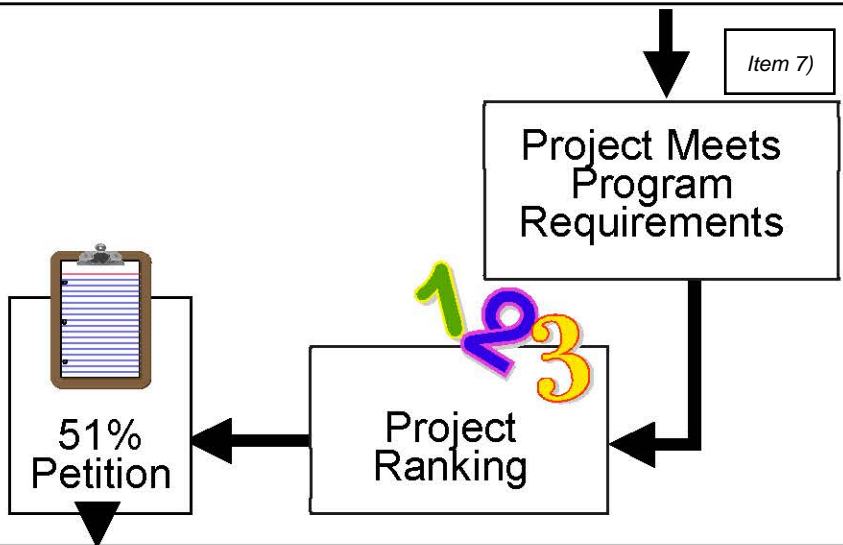
If there are more than five projects in the program, only the top five ranked projects will be active. The remaining projects will remain active in the queue for up to two years. If they have not progressed in two years, they will be reevaluated to determine whether the problem has changed or been mitigated by some other factor. If a project is removed from program, the next highest ranked project will become active.



# STEP

## 2 (Continued)

### Project Acceptance/ Ranking and Petition to Study



## Step 2 - Project Acceptance/Ranking and Petition to Study Continued

Ranking Table

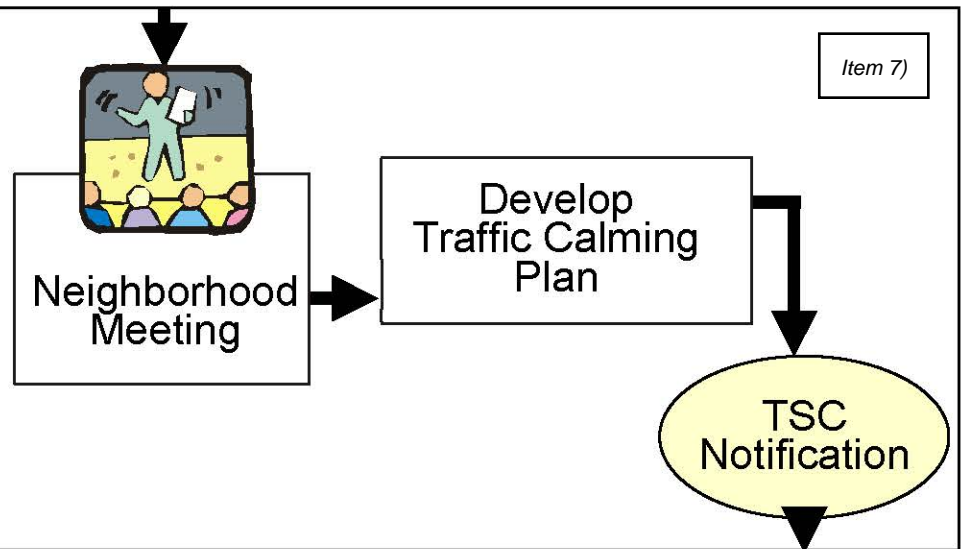
Criteria	Local Street Score	Collector Street Score	Arterial Street Score
<b>Average Speed</b> (4 pts per mph above speed limit (SL) to SL + 5 mph) (6 pts per mph above SL + 5 mph)	50 (Maximum)	60 (Maximum)	60 (Maximum)
<b>Volume</b> (2 pts per 100 vpd over min. volume)	30 (Maximum)	0	0
<b>No Sidewalks</b> (100% for no sidewalks in project area) (50% for sidewalks one side or partial sidewalks)	5	15	15
<b>School</b> (full points for school or school crossing within project)	15	25	25
<b>Total Score</b>	100	100	100

Once a project has been ranked and is on the active project list, a petition will be distributed by the applicant to all property owners in the project area. The majority (at least 51%) of the property owners identified in the project area must agree that a project is necessary and they will participate in the cost of the construction of the project. The distribution of costs are identified on page 9 and vary depending on the classification of the project roadway. If less than fifty-one percent of the owners agree, the project is no longer considered active.

# STEP

## 3

### Plan Development



## Step 3 - Plan Development

Not all traffic calming devices will be appropriate for some types of problems. No devices that prohibit the flow of traffic will be constructed on streets classified as collector or arterial streets in the *Albany Transportation System Plan*. The types of measures constructed on collectors or arterials will be limited to devices designed to reduce vehicle speeds and increase pedestrian safety. Emergency Response Routes, whether classified as residential, collector or arterial streets, will also have a limited list of measures that can be installed.

Examples of traffic calming devices that the City will install are included as a part of this document, on pages 29 through 33. This chart also includes any restrictions assigned to those specific devices.

Once a project has met the review criteria, the City will hold a neighborhood meeting. All property owners in the project area will be invited. At this neighborhood meeting, the City will identify the types of traffic calming devices that are effective in resolving the problems identified in the project area, in addition to any restrictions.

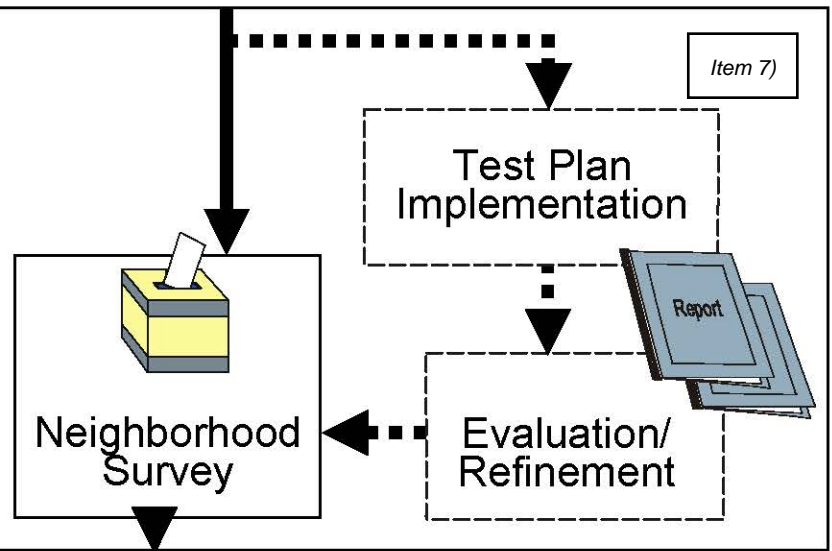
The City will work with the neighbors to obtain their preferences for types of devices and possible installation locations to maximize the benefit of the preferred devices.

The City will then develop a Traffic Calming Plan. A representative from the neighborhood and the Albany Fire Department will also be included on the Plan team. The Plan will include the type of device(s), location(s) of installation, an anticipated schedule for construction, maintenance responsibility, and estimated project costs.

# STEP

## 4

### Initial Evaluation and Neighborhood Survey



## Step 4 - Initial Evaluation and Neighborhood Survey

There are some traffic calming devices that require a significant change in driver behavior. A traffic circle at an intersection is one example. In some cases, the City may choose to implement a test device. Devices that do not require a significant change in driver behavior may not require the test phase and would move immediately to the neighborhood survey.

The intent behind installing a test device is to allow the neighborhood to experience the traffic calming device and the changes to neighborhood traffic patterns prior to a permanent installation. This gives the City and the neighborhood an opportunity to determine the impacts of the installation prior to the expenditure of significant construction costs. It also allows easy removal of the device if the neighborhood decides that the device does not meet expectations.

Whether a test device is implemented or not, the neighborhood will be given an opportunity to review the traffic calming plan and discuss the installation of the device. The intent of the survey is to ensure that the adjacent neighbors know of the proposed modification and have an opportunity to comment on the device installation. The majority of the neighborhood must agree with the device installation. The survey also provides an opportunity to reaffirm with the property owners in the project area that they are willing to their share of the construction costs, with a more accurate cost estimate available. The cost distribution will be as follows:

Street Type	Neighborhood Contribution	City Contribution
Local	50%	50%
Collector	37.5%	62.5%
Arterial	25%	75%



# STEP

## 5

### Traffic Safety Commission Approval



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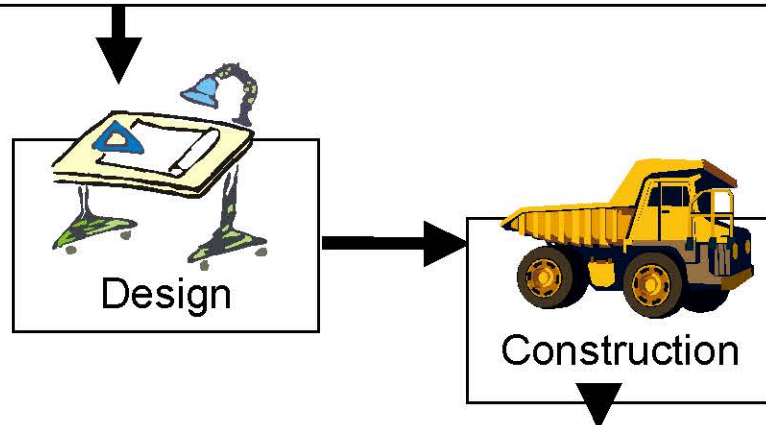
## Step 5 - Traffic Safety Commission Approval

Once the neighborhood has given support of the project, the Traffic Calming Plan will be forwarded to the Traffic Safety Commission for review and approval. A member of the Traffic Safety Commission will be invited to attend the neighborhood meetings; however, this forum provides the entire commission the opportunity to review the Traffic Calming Plan prior to implementation.

# STEP

## 6

### Design and Construction



## Step 6 - Design and Construction

If approved by the Traffic Safety Commission, the City will perform the design, contract advertisement, contract administration and construction inspection of the traffic calming device(s) indicated by the Traffic Calming Plan.



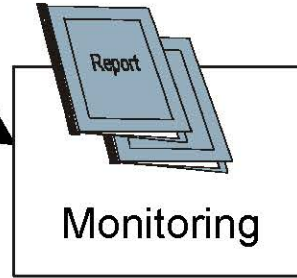
# STEP

## 7

### Monitoring and Follow-Up



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NTCP Updates

## Step 7 - Monitoring and Follow-Up

Once the device is installed and construction is complete, the City will conduct two sets of data collection to determine the impacts of the device installed. The data collection will occur two months and six months after project completion. This data will be used to determine the effectiveness of the devices installed. The results of the analysis will be shared with the neighborhood.

Subsequent updates to the NTCP will occur as staff discovers that some devices are more or less effective than others. Other updates will occur to update procedural deficiencies or include additional alternatives as they are developed.

Section 1 (To be completed by Applicant)

Applicant Name: \_\_\_\_\_ Daytime Telephone: \_\_\_\_\_

Applicant Mailing Address: \_\_\_\_\_ Evening Telephone: \_\_\_\_\_  
\_\_\_\_\_

Location of Problem: \_\_\_\_\_  
(For intersections, list both streets. For roads, indicate name/problem limits. e.g. 24th Ave. between Geary & Hill.)

Description of Problem: \_\_\_\_\_  
\_\_\_\_\_

(e.g. Excessive speeding on street, high volumes, etc.)

Section 2 (To be completed by City)

Street Classification: \_\_\_\_\_ Parking: \_\_\_\_\_  
Roadway Width: \_\_\_\_\_ Speed Limit: \_\_\_\_\_  
Ortho Photo Attached Emergency Response Route: \_\_\_\_\_

Section 3 (To be completed by Applicant)

Volume: \_\_\_\_\_ Speed: \_\_\_\_\_  
(Submit Blue Count Forms) (Submit Red Speed Forms)

Section 4 (To be completed by City)

TCP Evaluation

YES  
(Meets Initial Evaluation Criteria)  
Additional Data Collected? \_\_\_\_\_  
Project Rank: \_\_\_\_\_  
Date Survey Sent: \_\_\_\_\_  
Survey Results: \_\_\_\_\_  
Neighborhood Meeting Date: \_\_\_\_\_  
TSC Notification Date: \_\_\_\_\_  
Date Neighborhood Ballot Sent: \_\_\_\_\_  
Neighborhood Ballot Results: \_\_\_\_\_  
TSC Approval: \_\_\_\_\_  
Design Complete: \_\_\_\_\_  
Construction Complete: \_\_\_\_\_

NO  
(Does Not Meet Evaluation Criteria)  
Reason: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Other Recommendations (if any): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Section 5 (City Follow-Up)

Device Installed: \_\_\_\_\_  
Six month Volume: \_\_\_\_\_ Six month Speed: \_\_\_\_\_  
One Year Volume: \_\_\_\_\_ One Year Speed: \_\_\_\_\_

# Instructions for Application/Checklist

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This form is to serve as the application for the Neighborhood Traffic Calming Program (NTCP), in addition to providing a summary sheet checklist for the project. To start the application process, please follow these steps:

1. Fill out Section 1 of the form. It is important to include a brief but thorough description of the problem including the start and end points.
2. Submit the form to the City of Albany (City) at 333 Broadalbin SW, P.O. Box 490, Albany, OR 97321. The application can either be mailed or dropped off.
3. Once the City has received the form, it will be reviewed to ensure that the problem is appropriate for NTCP. The applicant may be contacted for clarification if necessary. If the problem is not appropriate for NTCP, the applicant will be provided with contact information for the correct agency to notify.
4. If the City determines the problem is appropriate for NTCP, the applicant will be responsible for gathering data. Data regarding the traffic volumes and traffic speed must be gathered for the next step in the process. The forms provided in this packet will instruct and assist you in gathering this data.
5. Once all of the data has been collected, Section 3 of the application form must be completed.
6. Upon completion of Section 3, the packet is returned to the City with all of the appropriate documentation. The City will review the data submitted .
7. If the submitted data indicates that the problem **DOES** meet the criteria for the NTCP, the City will proceed to implement the program. The program steps are outlined on the following page and a full text description of each step is included in this information packet.
8. If the submitted data indicates that the problem **DOES NOT** meet the criteria for the NTCP, the City will notify the applicant that the project will not proceed. The City will also include the reason for the denial in addition to any alternative ways of addressing the problem that may be appropriate.

# NTCP Intersection Count Worksheet

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## Section 1 (To be completed prior to start of data collection)

North/South Roadway Name: \_\_\_\_\_ Count Date: \_\_\_\_\_

East/West Roadway Name: \_\_\_\_\_ Count Time (Two-Hour): \_\_\_\_\_

Counter Name: \_\_\_\_\_ Weather Conditions: \_\_\_\_\_

Sketch the Intersection:



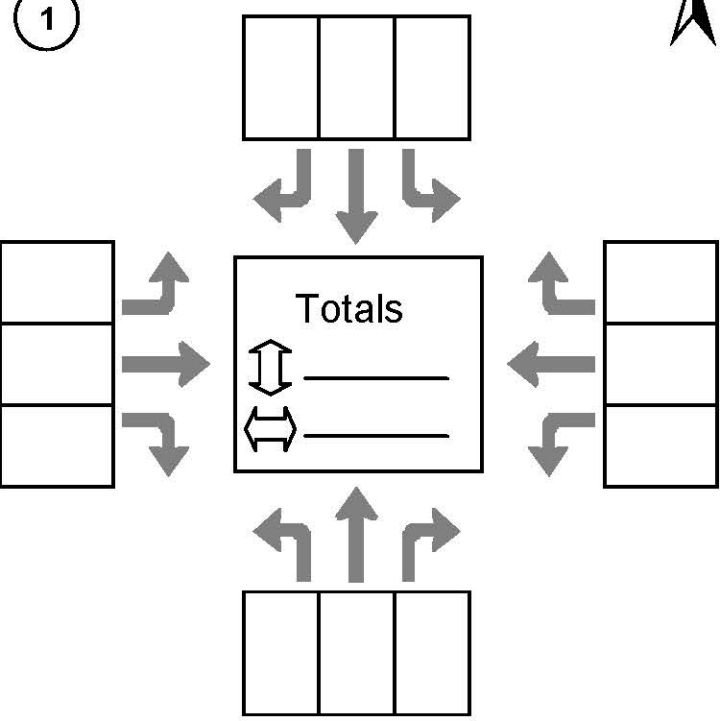
Section 2 (To be completed during data collection)

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15 Minute Interval: \_\_\_\_\_



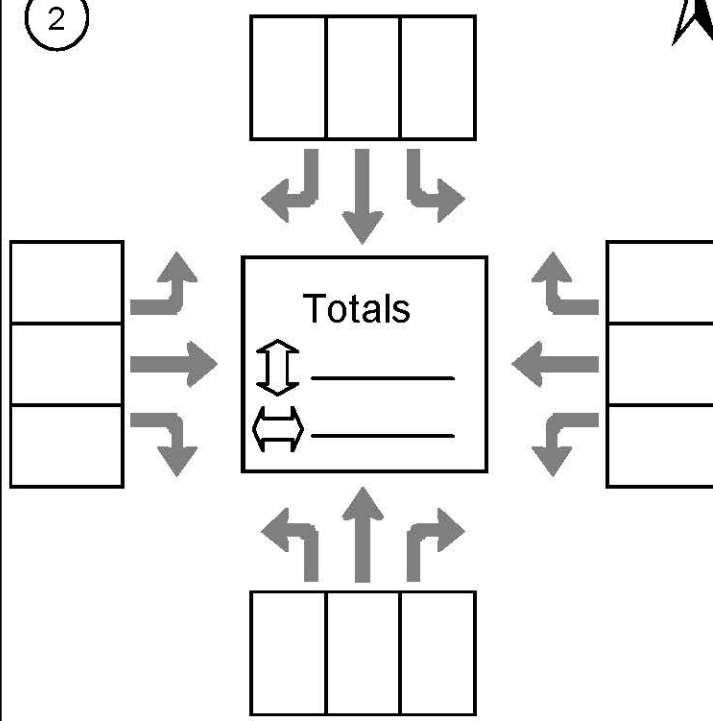
1



15 Minute Interval: \_\_\_\_\_



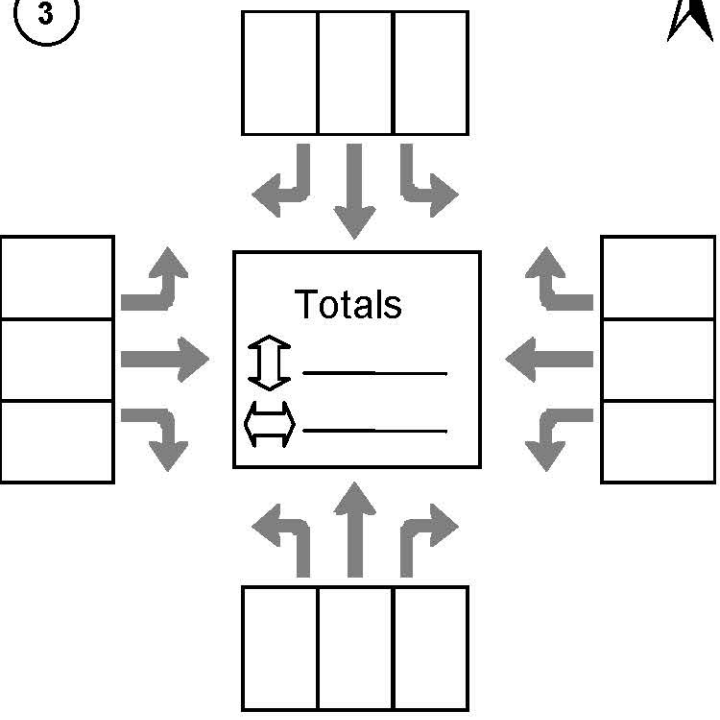
2



15 Minute Interval: \_\_\_\_\_



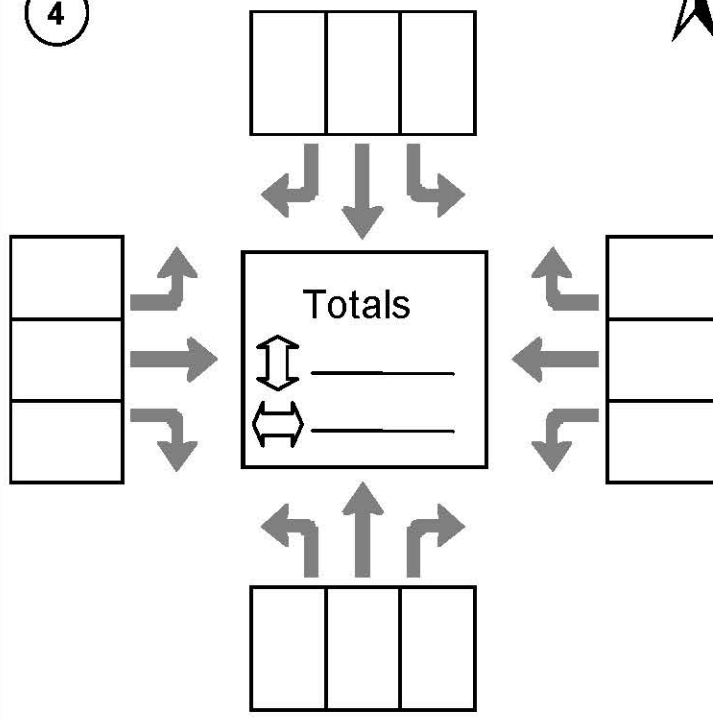
3



15 Minute Interval: \_\_\_\_\_



4



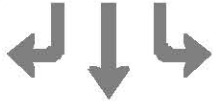
Section 2 Continued

15 Minute Interval: \_\_\_\_\_



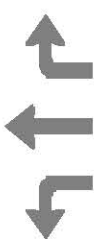
5

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Totals	
⇅	_____
⇆	_____






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15 Minute Interval: \_\_\_\_\_

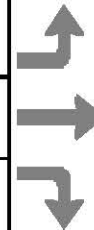


Item 7)

6

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Totals	
⇅	_____
⇆	_____





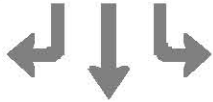

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15 Minute Interval: \_\_\_\_\_



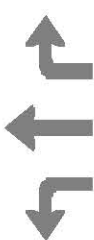
7

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Totals	
⇅	_____
⇆	_____






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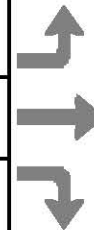
15 Minute Interval: \_\_\_\_\_



8

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Totals	
⇅	_____
⇆	_____






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Section 3 (To be completed after data collection)

Add the totals for:

1, 2, 3 and 4: ⇅ \_\_\_\_\_ ⇆ \_\_\_\_\_

2, 3, 4 and 5: ⇅ \_\_\_\_\_ ⇆ \_\_\_\_\_

3, 4, 5 and 6: ⇅ \_\_\_\_\_ ⇆ \_\_\_\_\_

4, 5, 6 and 7: ⇅ \_\_\_\_\_ ⇆ \_\_\_\_\_

5, 6, 7 and 8: ⇅ \_\_\_\_\_ ⇆ \_\_\_\_\_

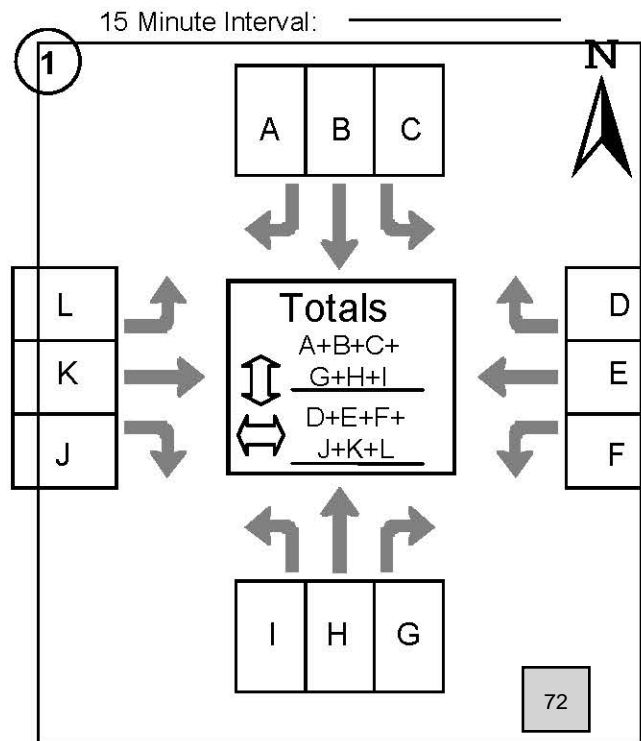


# NTCP Intersection Count Instructions

Item 7)

To Estimate the Traffic Volumes on at a specific intersection, follow these steps:

1. Note that this is a two-page, double-sided form. Make sure to have all four components including these instructions. The sample comprises the additional third page.
2. Near the identified intersection, select a safe place to sit for two hours that provides adequate vision clearances to count all vehicles entering the intersection.
3. Identify a two-hour window for the time of day when the problem seems to be the most pronounced.
4. If the traffic volumes are low, a single counter may be adequate. It may be advisable to have two different counters, one for each direction of travel.
5. Select a day to perform the counts. If the counts are simply to identify the intersection volumes, the best time to conduct the counts is on a Tuesday, Wednesday or Thursday evening between the hours of 4 and 6 PM. If the counts are to identify a specific problem, pick the day and time to correspond.
6. Fill out Section 1 of the form with all of the appropriate information.
7. Bring some sort of timing device that will provide a minimum of a minute breakdown.
8. Be in place approximately 10 minutes before the two-hour window begins. This will ensure if there are any problems, they can be resolved before the counts start.
9. At the beginning of the two-hour window, begin counting the vehicles that pass through the intersection.
10. It is important to correctly record each direction of travel through the intersection for the vehicles (ie. eastbound turning left versus eastbound through or eastbound turning right).
11. At 15 minute intervals, move to the next box for data recording.
12. At the end of the two-hour count, tally up the numbers for each 15 minute record.
13. Fill out Section 3 of the form. This will provide an estimated daily volume for the intersection counted.





# NTCP Intersection Count Worksheet Example

Item 7)

Section 1 (To be completed prior to start of data collection)

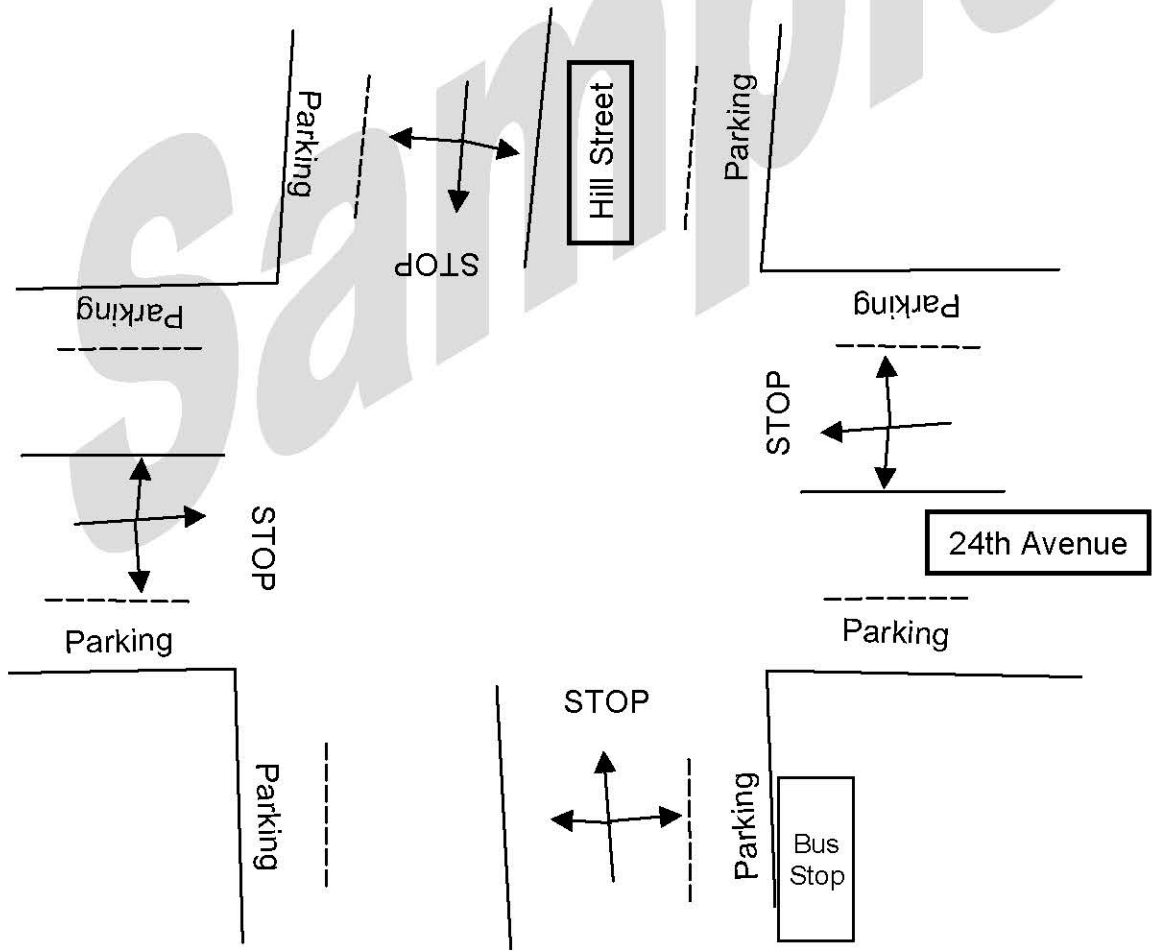
North/South Roadway Name: 24th Avenue Count Date: 1/14/01

East/West Roadway Name: Hill Street Count Time (Two-Hour): 4-6 PM

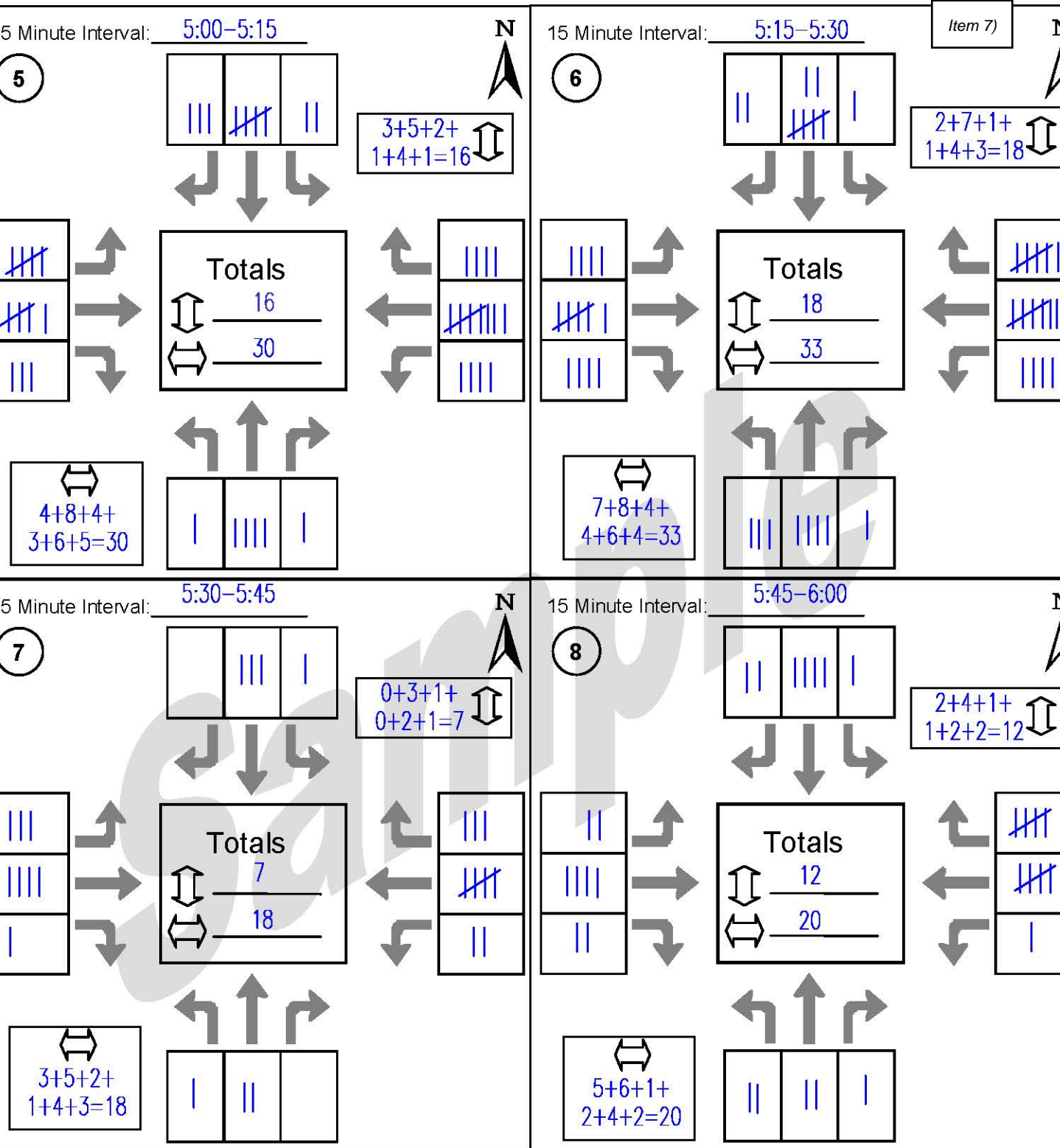
Counter Name: Betty Rubble

Weather Conditions: Raining

Sketch the Intersection:



## Section 2 Example Continued



### Section 3 (To be completed after data collection)

Add the totals for:

3, 4, 5 and 6:  $\updownarrow$  \_\_\_\_\_  $\leftrightarrow$  \_\_\_\_\_

2, 3 and 4:  $\updownarrow$  \_\_\_\_\_  $\leftrightarrow$  \_\_\_\_\_

3, 4 and 5:  $\updownarrow$  \_\_\_\_\_  $\leftrightarrow$  \_\_\_\_\_

4, 5, 6 and 7:  $\updownarrow$  \_\_\_\_\_  $\leftrightarrow$  \_\_\_\_\_

5, 6, 7 and 8:  $\updownarrow$   $16+18+7+12=53$   $\leftrightarrow$   $30+33+18+20=101$

# NTCP Roadway Count Worksheet

Item 7

## Section 1 (To be completed prior to start of data collection)

Roadway Name: \_\_\_\_\_ Count Date: \_\_\_\_\_

Counter Name: \_\_\_\_\_ Count Time (Two-Hour): \_\_\_\_\_

Weather Conditions: \_\_\_\_\_

## Section 2 (To be completed during data collection)

Row	15 Minute Interval (e.g. 4:15 to 4:30)	Direction/Count: (e.g. Eastbound/1111)	Direction/Count: (e.g. Westbound/1111)	Roadway Totals	Pedestrian Counts (optional)
1					
2					
3					
4					
5					
6					
7					
8					

## Section 3 (To be completed after data collection)

Add Totals for Rows 1, 2, 3, and 4: \_\_\_\_\_  
 Rows 2, 3, 4, and 5: \_\_\_\_\_  
 Rows 3, 4, 5, and 6: \_\_\_\_\_  
 Rows 4, 5, 6, and 7: \_\_\_\_\_  
 Rows 5, 6, 7, and 8: \_\_\_\_\_  
 Select Highest Value: \_\_\_\_\_

Multiply the Highest Value by 10

This value is the approximate Average Daily Traffic (ADT) for the roadway.

# NTCP

## Roadway Count Instructions

Item 7)

To Estimate the Traffic Volumes on a Specific Roadway, follow these steps:

1. Identify a location on the roadway where the traffic will represent the problem.
2. Near the identified location, select a safe place to sit for two hours that provides adequate vision clearances to count all oncoming vehicles.
3. Identify a two-hour window for the time of day when the problem seems to be the most pronounced.
4. If the traffic volumes are low, a single counter may be adequate. It may be advisable to have two different counters, one for each direction of travel.
5. Select a day to perform the counts. If the counts are simply to identify the roadway volume, the best time to conduct the counts is on a Tuesday, Wednesday or Thursday evening between the hours of 4 and 6 PM. If the counts are to identify a specific problem, pick the day and time to correspond.
6. Fill out Section 1 of the opposite side of this form with all of the appropriate information.
7. Bring some sort of timing device that will provide a minimum of a minute breakdown.
8. Be in place approximately 10 minutes before the two-hour window begins. This will ensure if there are any problems, they can be resolved before the counts start.
9. At the beginning of the two-hour window, begin counting the vehicles that approach on the roadway. Pedestrian counts may be taken, but are not usually required.
10. It is important to differentiate the direction of travel for the vehicles (ie. eastbound versus westbound traffic.) The distribution of traffic may be used to determine which mitigation measures, if any, are appropriate.
11. At 15 minute intervals, move to the next box for data recording.
12. At the end of the two-hour count, tally up the number for each 15 minute record.
13. Fill out Section 3 of the form. This will provide an estimated daily volume for the roadway counted.

# NTCP Roadway Count Worksheet Example

Item 7)

Section 1 (To be completed prior to start of data collection)

Roadway Name: 24th Avenue (between Geary & Hill)      Count Date: 1/13/01

Counter Name: Betty Rubble      Count Time (Two-Hour): 4-6 PM

Weather Conditions: Slightly cloudy, occasional showers

Section 2 (To be completed during data collection)

Row	15 Minute Interval (e.g. 4:15 to 4:30)	Direction/Count: (e.g. Eastbound/1111)	Direction/Count: (e.g. Westbound/1111)	Roadway Totals	Pedestrian Counts (optional)
1	4:00-4:15	Eastbound     5	Westbound      4	9	
2	4:15-4:30	9	7	16	
3	4:30-4:45	7	5	12	
4	4:45-5:00	8	7	15	
5	5:00-5:15	18	9	27	
6	5:15-5:30	13	7	20	
7	5:30-5:45	10	3	13	
8	5:45-6:00	4	5	9	

Section 3 (To be completed after data collection)

Add Totals for Rows 1, 2, 3, and 4: 9+16+12+15=52  
 Rows 2, 3, 4, and 5: 16+12+15+27=70  
 Rows 3, 4, 5, and 6: 12+15+27+20=74  
 Rows 4, 5, 6, and 7: 15+27+20+13=75  
 Rows 5, 6, 7, and 8: 27+20+13+9=69  
 Select Highest Value: 75

Multiply the Highest Value by 10

$75 \times 10 = 750$

This value is the approximate Average Daily Traffic (ADT) for the roadway.



# NTCP Speed Data Worksheet

Item 7)

## Section 1 (To be completed prior to start of data collection)

Roadway Name: \_\_\_\_\_ Count Date: \_\_\_\_\_

Counter Name(s): \_\_\_\_\_ Count Time (Two-Hour): \_\_\_\_\_

Weather Conditions: \_\_\_\_\_

## Section 2 (To be completed during data collection)

	Totals	_____ bound	Speed	_____ bound	Total	
			Above 39 MPH			
			39 MPH			
			38 MPH			
			37 MPH			
			36 MPH			
			35 MPH			
			34 MPH			
			33 MPH			
			32 MPH			
			31 MPH			
			30 MPH			
			29 MPH			
			28 MPH			
			27 MPH			
			26 MPH			
			25 MPH			
			24 MPH			
			23 MPH			
			22 MPH			
			21 MPH			
			Below 21 MPH			

Actual Count Time: \_\_\_\_\_

\_\_\_\_\_ bound Total:  
\_\_\_\_\_ X 0.50 = \_\_\_\_\_

\_\_\_\_\_ bound Total:  
\_\_\_\_\_ X 0.50 = \_\_\_\_\_

\_\_\_\_\_ bound  
50th % Speed

\_\_\_\_\_ bound  
50th % Speed



# NTCP

## Speed Count Instructions

Item 7)

To Estimate the Traffic Speed on a Specific Roadway, follow these steps:

1. Identify a location on the roadway where the traffic will represent the problem.
2. Near the identified location, select a safe place to sit for two hours that provides adequate vision clearances to monitor all oncoming vehicles.
3. Identify a two-hour window for the time of day when the problem seems to be the most pronounced. Pick any time during the day except the AM Peak (between 6:30 AM and 8:30 AM) or the PM Peak (between 4:00 PM and 6:00 PM) to conduct the study. If the AM Peak or PM Peak is designated as the problem, two sets of counts must be made. One off-peak to determine the average roadway speed and the second during the peak hour that is indicative of the problem.
4. If the traffic volumes are low, a single counter may be adequate. Two people may be required, one to operate the radar gun, the other to record the data.
5. Obtain the radar gun from the Albany Police Department at 917-3208. The radar guns can be borrowed for up to a week. Valid picture identification (a driver's license) is required to borrow the gun.
6. Fill out Section 1 of the opposite side of this form with all of the appropriate information.
7. Bring some sort of timing device that will let you know when two hours are over.
8. Be in place approximately 10 minutes before the two-hour window begins. This will ensure if there are any problems, they can be resolved before the counts start. Make sure to play with the radar gun in advance so you know how it works.
9. At the beginning of the two-hour window, begin recording the speed of the vehicles that approach on the roadway.
10. It is important to differentiate the direction of travel for the vehicles (ie. eastbound versus westbound traffic.) The distribution of traffic may be used to determine which mitigation measures, if any, are appropriate.
11. Data must be collected for either two hours or 50 vehicles in both directions - whichever comes first. On a typical local street, the two hour limit will probably be met. If you collect 50 vehicles in one direction, but the other direction has not reached 50, continue to collect data in both directions until you reach 50 vehicles in the other direction or two hours has elapsed, whichever comes first.
12. At the end of the count, total the number of vehicles for each speed.
13. Calculate the 50% speed for each direction of travel by completing these steps: Add the total number of vehicles recorded for each direction and multiply by 0.50. Round to the nearest whole number. In the far left and right columns of the table, add the total number of vehicles - starting from the bottom. (See the example sheet, the columns with the large circles in them.) When you total to the number you calculated, circle that number and record the speed associated with that number. This speed is the 50th percentile speed.

# NTCP Speed Data Worksheet Example

Item 7)

## Section 1 (To be completed prior to start of data collection)

Roadway Name: 24th Avenue (between Geary & Hill)

Count Date: 1/14/01

Counter Name(s): Betty Rubble

Count Time (Two-Hour): 2-4 PM

Weather Conditions: Slightly cloudy, occasional showers

## Section 2 (To be completed during data collection)

	Totals	East bound	Speed	West bound	Total	
28	1		Above 39 MPH		2	53
27	1		39 MPH		1	51
26	2		38 MPH		3	50
24	0		37 MPH		3	47
24	3		36 MPH		4	44
21	3		35 MPH		5	40
18	1		34 MPH		3	35
17	5		33 MPH		5	32
12	2		32 MPH		2	27
10	3		31 MPH		4	25
7	2		30 MPH		3	21
5	0		29 MPH		5	18
5	2		28 MPH		3	13
3	1		27 MPH		2	10
2	2		26 MPH		2	8
0	0		25 MPH		1	6
0	0		24 MPH		2	5
0	0		23 MPH		1	3
0	0		22 MPH		1	2
0	0		21 MPH		0	0
0	0		Below 21 MPH		1	1

Actual Count Time:  
2:02-4:02 PM

East bound Total  
28 X 0.50 = 14

West bound Total  
53 X 0.50 = 27

East bound  
50th % Speed


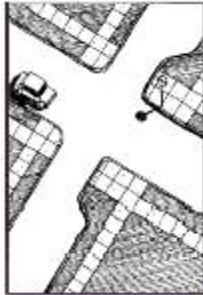
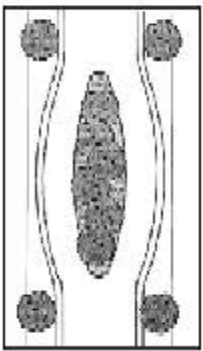

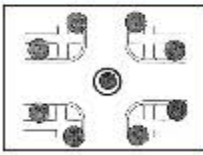
33

West bound  
50th % Speed

32

# Typical Constructed Mitigation Measures


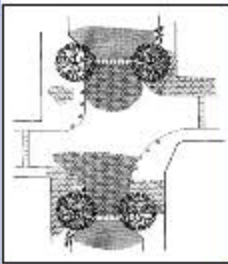


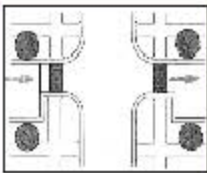
Item 7)

Measure	Graphic	Description	Speed Volume Reduction		Cost	Road Type
			Speed	Volume		
<b>Chicane</b>		Channelization or curb extensions that realign the straight path of a street, deflection of straight vehicle movement.	3 to 4 MPH	Low volume reduction and diversion	\$3,000 to \$20,000	R = Yes C = Yes A = Yes ER = Yes
<b>Choker (Curb Extension)</b>		A roadway narrowing. This could be a curb extension at an intersection (also called bulb-outs, neckdowns and throating) to reduce the roadway width at a selected location.	3.3 MPH	Moderate volume reduction and diversion	\$3,000 to \$15,000	R = Yes C = Yes A = Yes ER = Yes
<b>Choker (Median)</b>		A roadway narrowing. With a median, the narrowing of the roadway comes from placing an island in the middle of the road. Some cities have used large raised pavement markers on the centerline at intersections to reduce speed of turning traffic. Medians can also be used for pedestrian refuge and/or access control to restrict turning movements. For access control it is important that medians are long enough to effectively create right-in/right-out restrictions.	3.3 MPH	Moderate volume reduction and diversion	\$3,000 to 10,000	R = Yes C = Yes A = Yes ER = Yes
<b>Choker (Pinch Point)</b>		A roadway narrowing. Curb lines are extended into the street area (usually landscaped islands or pedestrian extensions) to narrow the roadway.	3.3 MPH	Moderate volume reduction and diversion	\$5,000 to \$15,000	R = Yes C = Yes A = Yes ER = Yes
<b>Circles</b>		A round island in the middle of an intersection	5.7 MPH	Low volume reduction and diversion	\$5,000 to \$15,000	R = Yes C = No A = No ER = Maybe



# Typical Constructed Mitigation Measures




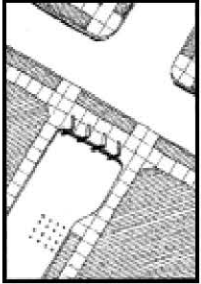
Item 7)

Measure	Graphic	Description	Speed Volume		Cost	Road Type
			Reduction			
<b>Diverters</b>		Channelization or islands that restrict movements at an intersection. Typically, allows right turns not through traffic. There are full and partial diverters depending upon the number of movements restricted or diverted at an intersection.	0.4 MPH	High volume reduction, high diversion impact	\$3,000 to \$15,000	R = Yes C = No A = No ER = No
<b>Entry Treatments</b>		Generally use of landscaping and architectural elements at the roadway entrance to a neighborhood. Can include curb extensions and pavement texturing.	3.3 MPH	Moderate volume reduction and diversion	\$5,000 to \$25,000	R = Yes C = Yes A = Yes ER = Yes
<b>Humps</b>		Raising of pavement surface about 3 inches over about 10 to 20 feet (an undulation). Similar to this measure are speed tables, raised pedestrian crossings and raised intersections.	7 MPH	Low volume reduction and diversion	\$3,000 to \$5,000	R = Yes C = No A = No ER = No
<b>Intersection Realignments/ Route Modification</b>		Takes a standard 3 or 4 leg intersection and skews it to deflect traffic while maintaining safe design characteristics. Modify a route to make it less direct.	5.7 MPH	Low volume reduction and diversion	\$4,000 to \$20,000	R = Yes C = No A = No ER = Maybe
<b>One Way Streets</b>		Takes the entry to a neighborhood area and makes the access road one way (typically out). Similar in some respects to a diverter. Can be used in connection with entry treatments.	No Data	Significant volume reduction and diversion	\$5,000 to \$30,000	R = Yes C = Maybe A = Maybe ER = Maybe

For Road Types: R = Residential, C = Collector, A = Arterial, ER = Emergency Response. Maybe = To be evaluated on a case-by-case basis.

# Typical Constructed Mitigation Measures

Item 7)

Measure	Graphic	Description	Speed Volume Reduction		Cost	Road Type
			Speed	Volume		
<b>Pavement Texture/ Pavement Markings</b>		Instead of smooth pavement surface, create roughness by using raised markers, pavers, colored concrete with patterns. Can be used to emphasize pedestrian crossing location. Sometimes paint is used to create channelization or narrowing. Increases driver awareness of changed conditions (entering a neighborhood or pedestrian zone).	Limited	Limited volume reduction	\$1,000 to \$15,000	R = Yes C = Maybe A = No ER = Maybe
<b>Parking On-street</b>		By allowing parking, the traveled way is narrowed. Speeds must be slower for safe sight distance	No Data	Limited volume reduction	\$0 to \$1,000	R = Yes C = No A = No ER = Maybe
<b>Part Time Restrictions (PTR)</b>		Use signs to limit vehicle movements during key times (typically school times or peak hours). Can be turn restrictions, truck restrictions, through traffic restrictions, etc. Very difficult and expensive to enforce and can have high violation rates.	Moderate speed reduction (if through traffic removed)	Moderate volume reduction (if restrictions enforced)	\$500 to \$5,000	R = Yes C = Yes A = Yes ER = Yes
<b>Road Closure</b>		Uses islands or barricades to close the end of a street. Creates a cul-de-sac for vehicles, pedestrians and bicycles can go through. Contrary to TPR emphasis on connectivity. Special consideration will be given for emergency response.	Speed reduction limited to site of closure.	Significant volume reduction and diversion	\$2,000 to \$15,000	R = Yes C = No A = No ER = Maybe



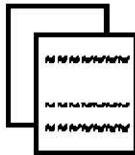



For Road Types: R = Residential, C = Collector, A = Arterial, ER = Emergency Response. Maybe = To be evaluated on a case-by-case basis.

Source for graphics:

*Traffic Calming*, American Planning Association, Planning Advisory Service, Report Number 456, July 1995  
*Handbook for Walkable Communities*, Burden and Wallwork.

*Civilized Street: A Guide to Traffic Calming*, Environmental & Transport Planning Brighton, Great Britain, 1992

# Education and Enforcement Mitigation Measures Item 7)

Measure	Graphic	Description	Contact
<b>Enforcement</b> (selective)		Police issuing tickets to vehicles violating speed limits. Can be effectively combined with other NTC elements such as public awareness, education, speed trailer and signs/banners.	City of Albany Police Department 917-7680
<b>Signs</b>		Yard signs have been typically used as part of a public awareness or education program.	City of Albany Public Works 917-7655
<b>Neighborhood Flyers</b>		In neighborhoods where the speeding problem is caused by neighbors, a flyer distribution can be used to educate neighbors.	City of Albany Public Works 917-7655
<b>Public Awareness/ Traffic Watch</b>		Campaigns typically organized by agency to involve neighbors. Speed watch can include neighbors using a radar speed measuring device to identify speeders who receive a standard letter. Public awareness can include education activities, but also newsletters, neighborhood organization activities, etc...	City of Albany Police Department 917-7683
<b>Speed Trailer</b>		A trailer unit with a reader board that indicates the approaching vehicle speeds. Portable and can be moved from site to site. Can be reinforced with actual police enforcement on a selective basis.	City of Albany Police Department 917-7683
<b>Enforcement</b> (automated)		Use of photo or video enforcement to ticket violators in speed zones. Red light running photo enforcement is also available.	Not Currently Available



# Emergency Response Routes

Item 7)

