

ORDINANCE NO. 1516

AN ORDINANCE regulating and requiring a permit and the payment of a permit fee for the construction and maintenance of service driveways; providing a penalty for the violation hereof and declaring an emergency.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1. DEFINITION AND APPLICATION FOR PERMIT.

The term "Service driveway" as used herein shall mean any driveway entering any street from private property and intended for use and used by the public.

It shall be unlawful to construct or maintain any service driveway in the City of Albany without first securing a permit therefor and paying the permit fee as required by Section 3 hereof.

Any property owner or lessee desiring a permit for a service driveway or driveways to serve its property shall file a written application therefor with the City engineer, said application shall be upon forms provided by the City and shall contain information showing the type of construction, the length of the driveway, its exact location and any other information which may be required by the City Engineer.

All service driveways shall be constructed according to the specifications and under the direction of the City Engineer.

Section 2. MAXIMUM LENGTH OF SERVICE DRIVEWAYS HEREBY APPROVED.

The City Engineer shall limit the curb length of all driveways in so far as practicable, having due regard for the interests and convenience of the public and the reasonable use of the property served by such driveway. Where only one service driveway is requested for a single ownership the maximum length which the City Engineer may approve may be as follows:

Frontage	Length
Under 30 feet,	50 percent of frontage,
30 to 50 feet,	20 feet,
50 to 75 feet,	25 feet,
Over 75 feet,	30 feet,

In no event shall the service driveway extend beyond the property line or rights of the owner requesting the service driveway.

Provided, if more than one service driveway is desired on the same frontage, the maximum length of each driveway shall not exceed twenty-five feet and not more than two twenty-five foot driveways shall be permitted on any given frontage. If service driveways less than twenty-five feet in length are desired, three service driveways not exceeding fourteen feet each may be permitted; provided, however, that not less than twelve feet of straight curb must separate all service driveways under one ownership. On any frontage in excess of one hundred feet each additional one hundred feet or fraction thereof shall be considered as under separate ownership.

Section 3. PERMIT FEES REQUIRED.

The permit fees for each service driveway shall be as follows:

For any service driveway authorized under permit from City Engineer \$1.25 for each ten feet of length or fraction thereof.

Section 4. PROPERTY OWNER TO MAINTAIN SIDEWALK.

No permit shall be granted unless and until the property owner shall construct and maintain that portion of the sidewalk used as a driveway according to the specifications and under the direction of the City Engineer. Should the owner permit the driveway to become dangerous to the public for any reason whatsoever then the Council may revoke any permit outstanding with or without notice to the owner.

Section 5. PENALTY.

Any person violating any of the provisions of this ordinance upon conviction thereof in the Recorder's Court shall be punished by a fine not to exceed \$100.00 or by imprisonment not exceeding fifty days or by both such fine and imprisonment.

Section 6. EMERGENCY.

Whereas service driveways within the City of Albany have created an exceptional traffic hazard and have unreasonably restricted the public use of the streets and whereas it is necessary for the immediate preservation of the peace, health and safety of the City of Albany that this ordinance become immediately effective, therefore an emergency is hereby declared to exist and this ordinance shall become immediately effective upon its passage by the Council and approval by the Mayor.
PASSED BY THE COUNCIL, JUNE 12, 1940.
APPROVED BY THE MAYOR, JUNE 12, 1940.

A.G. Senders

Mayor

ATTEST K.R. Horton

Recorder of the City of Albany, Oregon.

STATE OF OREGON)
COUNTY OF LINN (ss.
CITY OF ALBANY)

I, K.R. Horton, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the foregoing copy of Ordinance # 1516, has been by me carefully compared with the original Ordinance Bill # 1635, now on file in this office, and that same is a true and correct copy of the whole of said Ordinance Bill #1635, as passed by the Council of the City of Albany, on the 12th day of June, 1940, and approved by the Mayor on the same day. In witness hereof, I hereby place my hand and official signature this 13th day of June, 1940.