

**IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON**

**In the matter of an ordinance amending
Chapter 12.10, Sidewalks, of Title 12,
Streets, Sidewalks and Public Places, of
the Brookings Municipal Code, in its
entirety.**

} **ORDINANCE 09-O-624**

Sections:

- Section 1. Ordinance Identified.
- Section 2. Amends Chapter 12.10 in its entirety.

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends Chapter 12.10, Sidewalks, of Title 12, Streets, Sidewalks and Public Places, of the Brookings Municipal Code, in its entirety.

Section 2. Amends Chapter 12.10. Chapter 12.10, Sidewalks, is amended, in its entirety, to read as follows:

Sections:

- 12.10.010 Applicability
- 12.10.020 Definitions
- 12.10.030 Declaration of the City’s jurisdiction over sidewalks
- 12.10.040 Prohibition against blocking sidewalks
- 12.10.050 Permit procedure
- 12.10.060 Exemption for installation of sidewalks
- 12.10.070 Violations

12.10.010 Applicability

This code shall apply only to sidewalks located within the public right of way.

12.10.020 Definitions

For purposes of this chapter:

A. “Sidewalk” shall mean a walk or footway for pedestrians constructed out of material other than the ground traversed by the walk or footway and located in the public right of way.

B. “Nonconforming sidewalk” shall mean:

Any sidewalk constructed that is not in conformance with the City of Brookings General Engineering Requirements and Standard Specifications.

12.10.030 Declaration of the City’s jurisdiction over sidewalks

The City of Brookings claims, maintains, exerts, and reserves jurisdiction over all sidewalks within the public right of way of the city of Brookings.

12.10.040 Prohibition against blocking sidewalks

Except for over night placement of trash cans for weekly garbage removal it shall be prohibited to obstruct or in any way restrict the width of the sidewalk unless specifically approved by the Site Plan Committee.

12.10.050 Procedure to secure permit

A written application shall be made to the City Manager or his designee. The application shall be reviewed and if the provisions of this chapter have been met a permit shall be issued within 30 days. If the application is deemed incomplete the applicant shall be notified in writing within 20 days of submittal.

12.10.060 Exemption for installation of sidewalks

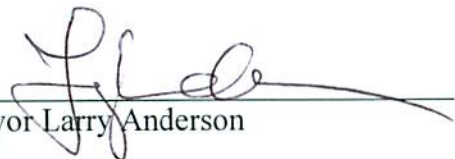
Unless a project meets the exemptions listed in BMC 17.04.050 or is specifically exempted by the Site Plan Committee, a conforming sidewalk must be constructed abutting all street frontages.

12.10.070 Violations.


A violation of any section of this chapter shall be punishable as stated in BMC 1.05.010.

First Reading: January 12, 2009
Second Reading: January 12, 2009
Passage: January 12, 2009
Effective Date: February 11, 2009

Signed by me in authentication of its passage this 13th day of January, 2009.



Mayor Larry Anderson

ATTEST: 

City Recorder Joyce Heffington