



# DRAFT

## Public Works Committee

Thursday, September 23, 2021 at 6:00 pm

### Notice of Meeting

320 N Main St. Falls City, OR 97344

### Committee Members

Mike McConnell - Tony Meier - Jeff Propp - Gordon Hanson - Guy Mack - Cliff Lauder - Tracy you

1. Call to Order
2. Pledge of Allegiance
3. Motion to Adopt the Entire Agenda
4. Consent Agenda - Motion Action Approving Consent Agenda Items
  - a. Meeting Minutes August 26, 2021

#### Attachments:

- August 26, 2021 PW Meeting Minutes (2021.08.26\_PW\_Minutes.pdf)

5. Public Comments
6. New Business
  - a. None
7. Old Business
  - a. Falls City Municipal Code: Chapter 70- Traffic and Parking Regulations

#### Attachments:

- FCMC 70 (Traffic\_Code.pdf)

8. Correspondence, Comments and Ex-Officio Reports
9. Committee Announcements
  - a. Next Public Works Meeting is Scheduled for Thursday October 28, 2021
10. Adjourn

Contact: Jamie L Ward (jward@fallscityoregon.gov 5037873631)

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**City of Falls City**  
**Public Works Committee Meeting**  
Thursday August 26 6:00 p.m.  
Meeting Location: Falls City Community Center  
320 N Main St

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**Committee Members Present**

Mike McConnell, Tony Meier, Cliff Lauder, Guy Mack, Gordon Hanson,

**1. Call to Order**

Chair McConnell called meeting to order at 6:02 PM and took roll call. Jeff Propp and Tracy Young were absent.

**2. Pledge of Allegiance**

Chair McConnell led committee in the Pledge of Allegiance.

**3. Motion to Adopt the entire agenda.**

A motion was made by Member Meier and seconded by Member Lauder to adopt the entire Agenda. Motion carried 5-0-0-2 Ayes. Mike McConnell, Tony Meier, Guy Mack, Cliff Lauder, Gordon Hanson.

**4. Consent Agenda.**

A motion was made by Member Meier and seconded by Member Lauder to consent the agenda including Public Works Committee Minutes from June 24, 2021, Motion carried 5-0-0-2 Ayes. Mike McConnell, Tony Meier, Guy Mack, Cliff Lauder, Gordon Hanson.

**5. Public Comments**

None

**6. New Business**

- a. Falls City Resident Laura Evans held discussion on the other City's Parked Car Ordinances. Evans provided Committee with parking Ordinance information from Polk County, City of Dallas, City of Monmouth, and the City of Independence. She noted that both Falls City and Polk County Ordinances are vague and broad and open to wide interpretation, and she believes a revised Falls City parking Ordinance would improve beautification concerns and ease conflicts with neighbors as to parking rights. General discussion of current situation and inability to enforce any ordinance without a Compliance Officer/Courts. City is currently in the process of obtaining such services and a clearly and specific ordinance would facilitate implementation. Committee decided to study information provided and specific Ordinance would facilitate its implementation. Committee decided to study information provided and bring recommendations to the next scheduled meeting. **Committee requests that City Staff provide members with current parking ordinance by email if possible before the next meeting.**

**7. Old Business**

- a. None

**8. Correspondence, Comments and Ex-Officio Reports**

- a. Chair McConnell again requested **that Public Works Committee recommend to council that the city use solar powered LED lights to outline traffic signs for greater visibility.** Another proposed option could be solar powered signs that flash when drivers exceed speed limits.
- b. Member Hanson mentioned that a property owner showed him a letter from Polk County informing him of a possible disturbance to The Little Luckiamute Riparian Zone, due to the siting of new sewer lines carrying effluent to new lagoons. Committee requests

information: **regarding the easement/right-of-way status (has the city obtained all necessary easements) and any communication from Polk County to property owners affected by the new lagoon project. Committee also requests information on the status of property purchase.**

**9. Committee Announcements**

Next Public Works meeting is scheduled for Thursday September 23, 2021, at 6:00 p.m. located at the Community Center.

**10. Adjourn**

A motion was made by Member Mack and seconded by Member Meier adjourn the meeting. Motion carried 7-0-0. Ayes: Mike McConnell, Tony Meier, Guy Mack, Cliff Lauder, Gordon Hanson.

The meeting was adjourned at 6:57 PM

Signed: \_\_\_\_\_ Public Works Committee Member

Attested: \_\_\_\_\_ Public Works Committee Member

Falls City, OR Code of Ordinances

amendments. The franchise shall be amended upon acceptance of the amendments by franchisee. The franchisee shall accept any amendment which is necessary to conform the franchise requirements to new or modified requirements imposed upon the city by an outside regulatory agency. If there is a financial impact to the franchisee as a result, such impact shall be considered as a cost of doing business to the franchisee and may be included as part of the rate base subject to documentation of said cost being provided the city.

**53.01.230 Appeals.**

(A) Any determination by the franchisee may be appealed to the city administrator within 15 days. Appeal must be filed in writing with the city recorder.

(B) Any determination by the city administrator pursuant to this code may be appealed to the city council within 15 days. Appeal must be filed in writing with the city recorder.

**53.01.240 Severability.**

Any judicial determination that any portion(s) of this code are unconstitutional or otherwise invalid shall not invalidate other provisions of this code.

(Ord. 533-2013, passed July 11, 2013)

**TITLE VII: TRAFFIC CODE**

Chapter

**70. GENERAL TRAFFIC AND PARKING REGULATIONS**

**71. TRAFFIC SCHEDULES**

**72. PARKING SCHEDULES**

**CHAPTER 70: GENERAL TRAFFIC AND PARKING REGULATIONS**

Section

- 70.01 Adoption of Oregon Vehicle Code
- 70.02 Local vehicle tax
- 70.03 Method of parking
- 70.04 Driving in reverse
- 70.05 Maximum speed in parks and cemetery

## Falls City, OR Code of Ordinances

70.06 Bicycles

70.99 Penalty

**Cross-reference:**

*Parking Schedules, see Ch. 72*

*Traffic Schedules, see Ch. 71*

**§ 70.01 ADOPTION OF OREGON VEHICLE CODE.**

(A) A violation of a provision in O.R.S. Chapters 801 through 826 inclusive, as now constituted, shall be an offense against the city.

(B) The penalty for violation of a provision of this section that is identical to a state statute containing a lesser penalty is limited to the penalty prescribed by state law. (Ord. 97-466, passed 10-6-1997; Ord. 99-474, passed 10-25-1999; Ord. 504, passed 1-28-2002) Penalty, see § 70.99

**§ 70.02 LOCAL VEHICLE TAX.**

(A) *Local option vehicle license fee adopted.* The city hereby exercises its option to levy an annual tax of \$5 on each registered vehicle as provided in HB 1979 adopted by the state legislature at its 1971 session.

(B) *Request to county.* The Board of County Commissioners is requested, under the provisions of § 12 of HB 1979, to forthwith levy the tax provided by division (A) above. (Ord. 341, passed 7-12-1971)

**§ 70.03 METHOD OF PARKING.**

(A) The operator of any motor vehicle within the city, when parking the vehicle on a public street, shall park and locate the vehicle along the right-hand side of the street as determined from the position of the driver of the vehicle when it is being operated, parallel with the curb line of the street, and as close thereto as practicable, provided that the parking shall be diagonal to the curb line where the same has been heretofore designated on North Main Street.

(B) Notwithstanding the provisions of division (A) above, vehicles may be backed into the curb line or otherwise parked where the same can be done in safety, for the purpose of actually loading or unloading cargo, for the time that is necessary therefor, unless otherwise directed by a police officer.

(Ord. 328, passed 1-5-1970) Penalty, see § 70.99

**§ 70.04 DRIVING IN REVERSE.**

## Falls City, OR Code of Ordinances

No person shall, while driving or operating a motor vehicle in reverse, enter into the intersection of any city streets at which access to the intersection is controlled on either or all of the intersecting streets by a stop sign or signs.

(Ord. 310, passed 8-1-1966) Penalty, see § 70.99

#### § 70.05 MAXIMUM SPEED IN PARKS AND CEMETERY.

No person shall operate a motor vehicle on lots in, upon, or through the property of the city parks or the city cemetery at a speed in excess of ten mph.

(Ord. 297, passed 7-13-1964) Penalty, see § 70.99

#### § 70.06 BICYCLES.

(A) No person shall ride or operate any bicycle upon any street, alley, or public place within the corporate limits of the city during the period from one-half hour after sunset to one-half hour before sunrise, or at any time when fog or other atmospheric conditions render the operation of the bicycle dangerous to traffic or the use of the streets, or at any time when there is not sufficient light to render clearly discernible any person on the streets a distance of at least 200 feet in front of the bicycle, unless equipped with a headlight affixed to the bicycle and also a reflex mirror or lighted lamp on the rear of the bicycle exhibiting a red light visible under like conditions from a distance of at least 200 feet to the rear of the bicycle.

(B) No person shall operate or ride any bicycle upon any street, alley, or public place in the city with anyone on the handlebars or in front of the person propelling and guiding the bicycle.

(C) No person, while riding or operating a bicycle on any street, alley, or public place in the city, shall hold on to any other moving bicycle.

(D) No person shall ride or operate any bicycle on any sidewalk in the city; provided that the carrier of newspapers, while making delivery of the papers, may ride and operate a bicycle upon any sidewalk outside the fire limits of the city as long as the bicycle shall be operated in a careful and prudent manner.

(E) Every person riding or operating a bicycle on any street, alley, or public place in the city shall keep the bicycle on the extreme right of the traffic lane, and it shall be unlawful for two or more operators of bicycles to travel abreast, except during the act of passing another bicycle, on any street, alley, or public place in the city, or to operate the bicycles on traffic lanes otherwise than in single file.

(F) Any person riding or operating a bicycle on any street, alley, or public place in the city shall be subject to all the laws of the state and the ordinances of the city applicable to the drivers of vehicles, except the provisions thereof that by their very nature can have no application. Bicycle riders must observe stop street regulations.

(G) No person shall engage in any stunt riding upon any street, alley, or public place in the city. It shall be unlawful for any person or persons to engage or cause to run or be engaged in any bicycle race on any street, alley, or public place within the corporate limits of the city, except under permit from and under supervision of the City Marshal.

## Falls City, OR Code of Ordinances

(H) The City Council may, if deemed necessary, specify certain parking areas in the downtown district for the exclusive use of bicycles, and when the areas are designated it shall be unlawful to park bicycles except in the areas.

(Ord. 199, passed 12-6-1937) Penalty, see § 70.99

### § 70.99 PENALTY.

(A) *Generally.* Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) *Section 70.01.* Except as otherwise provided, any person violating a provision of § 70.01 shall, on conviction thereof, be punished by imprisonment not to exceed 100 days or by a fine not to exceed \$500, or both; provided, however, that any offense against the city which can be prosecuted as a misdemeanor under § 70.01 shall be treated by the court hearing the offense as a violation with a fine not to exceed \$500, unless a misdemeanor complaint is prepared and served by the City or District Attorney.

(C) *Section 70.03(A).* Any person convicted of violating § 70.03(A) shall be subject to a fine of not to exceed \$50, or by imprisonment in the City Jail for a period of not to exceed ten days, or both.

(D) *Section 70.04.* Any person violating § 70.04 shall, upon conviction thereof, be punished by a fine not to exceed \$50.

(E) *Section 70.05.* Any person convicted of violating the provisions of § 70.05 shall be punished by a fine not to exceed \$100, or by imprisonment in the City Jail for a term not to exceed 20 days, or both.

(F) *Section 70.06.* Any person who shall violate any of the provisions of § 70.06 shall be deemed guilty of a misdemeanor, and upon conviction thereof in the City Police Court, shall be punished by a fine of not more than \$25 or by imprisonment in the City Jail one day for each \$2 of the fine. The City Auditor and Police Judge may, either in lieu of or in addition to the fine and imprisonment, prohibit the operation upon the streets, alleys, and public places of the city, for a period not to exceed 30 days, of the bicycle so used in the violation, in which event the bicycle, so used in the violation, shall be impounded with the City Auditor and Police Judge or the City Marshal, and retained for the period that the operation thereof is prohibited.

(G) *Chapter 71, Schedule III.* Any person convicted of violating any of the provisions of Chapter 71, Schedule III, shall be punished by a fine not to exceed the sum of \$100, or by imprisonment in the City Jail for a term not to exceed 30 days.

(H) *Chapter 72, Schedule IV.* Any person convicted of violating any of the provisions of Chapter 72, Schedule IV, shall be punished by a fine not to exceed the sum of \$100, or by imprisonment in the City Jail for a term not to exceed 30 days.

(I) *Chapter 72, Schedule V.* Any person convicted of violating any of the provisions of Chapter 72, Schedule V, shall be punished by a fine not to exceed \$50, or by imprisonment in the City Jail not exceeding ten days.

(Ord. 199, passed 12-6-1937; Ord. 277, passed 4-3-1961; Ord. 297, passed 7-13-1964; Ord. 310, passed 8-1-1966; Ord. 322, passed 11-4-1968; Ord. 328, passed 1-5-1970; Ord. 97-466, passed 10-6-1997; Ord. 99-474, passed 10-25-1999)