

ARTICLE FOUR -- ROADS

DIVISION ONE - PERMITS FOR CERTAIN ACTIVITIES IN A RIGHT OF WAY [Extensively revised by Ordinance 19-08-008L; Effective September 3, 2021]

SECTION 04.01.010

FINDINGS

- (1) Upon evidence presented by the Roadmaster, the Board finds that a request for a County right-of-way work permit, as required under Section 04.01.030 below, requires study and field time by the County Roadmaster and other County employees.
- (2) The Board further finds that recovery of such costs is appropriate and is a matter of County concern.
- (3) Therefore, the Board finds that fees, as specified in the Coos County Fee Schedule, are a fair and reasonable approximation of the actual cost of processing a permit request or permit renewal. [91-06-007L] [14-05-008L] [19-08-008L]

SECTION 04.01.020

SCHEDULE OF FEES ESTABLISHED

- (1) There is established within Coos County a fee for each request for a County right-of-way work permit required under Section 04.01.030 below. For the specific fee amount, refer to the Coos County Fee Schedule.
- (2) There is established within Coos County a fee for any renewal of such permits. For the specific fee amount, refer to the Coos County Fee Schedule.
- (3) All fees must be tendered at the time of application, and the fees are not refundable once signed, stamped or initialed as having been received by the Coos County Road Department. [91-06-007L] [14-05-008L] [19-08-008L]

SECTION 04.01.030

REQUIRED RIGHT-OF-WAY PERMITS

- (1) Except where stipulated by intergovernmental agreement between the County and a local jurisdiction, or specifically excepted under subsection (2) below, a permit shall be required for the following work or activities conducted within the right-of-way of a County road as defined in ORS 368.001(1):
 - a. The construction, installation, removal, or placement of any approach road, structure, fixture, pipeline, ditch, cable, wire, or any other object or tangible thing;
 - b. Planting, placement, or removal of vegetation;
 - c. Any modification of an existing construction or

- structure, or any change in the manner of using a permitted approach road; and
- d. Any special event held on or using County road right-of-way. A "Special Event" is any temporary activity held on County road right-of-way that interferes with or substantially alters the normal vehicular or pedestrian traffic.
- (2) A permit is not required under this section for:
- a. Short term uses of no more than one (1) day, provided that the County Roadmaster has determined that the use is not a hazard to the public and will have no detrimental impact on the right-of-way. Consultation with the Roadmaster is required in order to receive permission for such short term uses;
 - b. Vehicles lawfully parked in the right-of-way;
 - c. Authorized activities conducted under the no spray program outlined in Article Four, Division Three; and
 - d. Authorized activities conducted under any Adopt a Road Program, to the extent that such a program is being administered by the County Roadmaster under the County Rules pertaining thereto.
- [19-08-008L]

SECTION 04.01.040

SPECIFIC PERMIT REQUIREMENTS

- (1) As used in this Division, "project" shall mean any right-of-way use requiring a permit under Section 04.01.030 above.
- (2) Whether the application is by a person, persons or any other entity or entities, separate permits will be required for each project.
- (3) Projects benefitting a single lot or parcel of land shall pay only one permit fee, regardless of whether the project is bordered by multiple County roads or involves the construction of multiple structures.
- (4) Persons, public utilities or other entities anticipating application for more than one permit in any calendar year may place on deposit money to cover anticipated permit applications. The money so deposited will not bear interest by the County, and the unused portion thereof may be withdrawn by the permittee at any time.
- (5) The County Roadmaster may refuse a permit under this Section if, in his or her discretion, the proposed use of County road right-of-way is not suitable in the circumstances or will not be uniform with existing or proposed road improvements in the immediate vicinity.
- (6) Right-of-way permits may include specific requirements based upon the impacts of the permitted activity on the right-of-way and the traveling public. These special provisions will be

included as conditions of a permit.

- (7) Permits issued under this Division shall be in effect for ninety (90) days, provided however, the Roadmaster may in his/her discretion grant a permit for a longer or shorter period, as the circumstances may require. If the project(s) is (are) not completed within the time provided in the permit, a renewal of the permit must be requested. [16-03-001L] [19-08-008L]

SECTION 04.01.050

PERMIT VIOLATIONS

- (1) Failure of the permit holder to ensure strict conformance with all permit conditions shall be considered good and sufficient cause for revocation of the permit.
- (2) Revocation of the permit will result in immediate issuance of a "Stop Work Order" on all or portions of the project.
- (3) Failure of any individual or entity to obtain a permit as required under this Division will result in immediate issuance of a "Stop Work Order" on all portions of the project and may additionally lead to the penalties provided in Section 04.01.060 below. [14-05-008L] [19-08-008L]

SECTION 04.01.060

PENALTIES

- (1) Any use of the County road right-of-way that is regulated under Section 04.01.030 above that is performed without a valid permit is in violation of ORS 374.305, ORS 552.438, and Coos County Code 04.01.030, and penalties shall be applied as "Class A" in accordance with Coos County Code, Article 11 and the current Coos County Fee Schedule.
- (2) For any individual or entity who causes or maintains a condition in violation of Coos County Code 04.01.030, or any other provision in this Division, every day during which such unlawful condition is thus maintained, continued after citation, or notice of violation has been given may be charged as a separate offense, and penalties shall be applied in accordance with the current Coos County Fee Schedule. [14-05-008L] [19-08-008L]

DIVISION TWO - RESTRICTED RIGHT OF WAY

SECTION 04.02.010

FINDINGS

The Board of Commissioners finds that the travelled and non-travelled portions of certain roads are subject to obstruction, encroachment and/or damage as a result of natural or human activities occurring upon the non-travelled portion of the rights-of-way and, therefore, there exists a need to establish a means to control such activities.

SECTION 04.02.020

APPLICABILITY

This Division shall be applicable only to roads designated as County Roads and Local Access Roads as defined by ORS 368.001. This Division shall also apply to County Forest Roads as defined by Section 04.02.030(1) except that the rights-of-way of non-public roads maintained (but not owned) by the County through private property may not be restricted except with the written consent of the abutting property owner. Such consent is not required for any public road.

SECTION 04.02.030

DEFINITIONS

As used in this Division, unless the context requires otherwise:

- (1) "County Forest Road" means any non-public road owned or maintained by Coos County for access to the Coos County Forest.
- (2) "Travelled" portion of a right-of-way means that portion of the right-of-way that is improved, designed or ordinarily used for vehicular travel and includes the shoulder.
- (3) "Non-travelled" portion of a right-of-way means that portion of the right-of-way that is not "travelled".

SECTION 04.02.040

DESIGNATION OF RESTRICTED RIGHTS-OF-WAY

- (1) The Coos County Board of Commissioners hereby delegates to the Coos County Roadmaster the authority to designate the right-of-way of County, Local Access and County Forest Roads as "restricted rights-of-way".
- (2) The Coos County Roadmaster may designate a restricted right-of-way on any road when natural or human activities occurring upon the non-travelled portion of the right-of-way has, or likely could, obstruct, encroach and/or otherwise cause damage to the travelled or non-travelled portion of the

right-of-way. Such designation shall be in writing and shall specify the points where the restricted right-of-way commences and terminates as well as whether the restriction applies to one or both sides of the road. The restriction shall not be effective until the right-of-way has been posted as a restricted right-of-way. Such posting shall include a sign at the commencement and termination of the restricted right of way as well as such additional signs as determined by the Roadmaster to provide adequate notice to the public of the restricted nature of the right-of-way.

- (3) The Roadmaster may, at any time, rescind the designation of a restricted right-of-way and remove the notices previously posted.

SECTION 04.02.050

PROHIBITION

A person commits the offense of driving on a restricted right-of-way if the person drives a motor vehicle over, across or within the non-travelled portion of a posted restricted right-of-way. This prohibition shall not be applicable to the use of a legally developed access existing at the time of the effective date of this Division or a legally developed access established thereafter. An access shall be deemed legally established if the Roadmaster has issued a permit for its development.

DIVISION THREE - NO SPRAY PROGRAM
[Revised by Ordinance 20-09-006L, effective January 18, 2021]

SECTION 04.03.010 PURPOSE

The purpose of this Division is to establish a procedure whereby the property owners of Coos County can choose the method of controlling vegetation on County road rights-of-way which abut their land.

SECTION 04.03.020 DISCRETION

Maintenance of County Roads is at the sole discretion of Coos County. The time, place and manner of roadside brush control is at the discretion of the County Roadmaster. Entry into a "No Spray" Agreement shall be at the discretion of the County Roadmaster.

SECTION 04.03.030 PROPERTY OWNER OPTION

When the right-of-way abutting a property owner's land is included in a herbicide spray program, the property owner may request the County not to spray the right-of-way abutting their property. Such a request must be made by the agreement pursuant to Section 04.03.040 and by posting the right-of-way in accordance with Section 04.03.050.[20-09-006L]

SECTION 04.03.040 AGREEMENT

The County shall approve a request for "No Spray" if the property owner enters into an agreement to control the vegetation. The agreement shall be in a form approved by Coos County Counsel, and shall be signed by the property owner and returned to the Road Department. The "No Spray" agreement must be received by the Road Department prior to February 15 of a given year. The Board of Commissioners hereby delegates to the Roadmaster or authorized representative the authority to sign the "No Spray" agreements on behalf of the County. The "No Spray" agreement shall be effective only during the calendar year in which it was signed. Agreements that do not conform with this Section, whether verbal or otherwise, shall have no force or effect. [97-08-008L] [20-09-006L]

SECTION 04.03.050 POSTING

A property owner who abuts a County road right-of-way which is to be sprayed and who enters into the agreement contained in Section 04.03.040, must also post the abutting right-of-way as a "No Spray" area. Such posting shall be by clearly

visible signs provided by the Roadmaster when the "No Spray" agreement is returned to the Road Department. Such signs shall be placed at the beginning and end of the "No Spray" area respectively as directed by the Road Department but shall not be located within the right-of-way. The designated "No Spray" area shall not include any portion of the right-of-way which does not abut the property owners' land. Failure to adequately post the right-of-way as required by this Section will result in the spraying of the right-of-way as planned. [20-09-006L]

SECTION 04.03.060 PROPERTY OWNER TO CONTROL
VEGETATION

If the property owner posts the abutting right-of-way as a "No Spray" area, the property owner shall be responsible for controlling the vegetation in the right-of-way to the satisfaction of the Roadmaster. An information sheet regarding controlling vegetation and the requirements of posting shall be provided to property owners by the Roadmaster when the "No Spray" agreement is returned. Performance of this Agreement by property owners is at their own risk. The County shall not be liable to property owners or third parties for any claims connected with this Agreement.

SECTION 04.03.070 FAILURE TO CONTROL VEGETATION

If the property owner fails to control the vegetation as required under Section 04.03.060, the County may either spray or cut the area. If the County returns to a posted "No Spray" area to control vegetation which the abutting property owner failed to control, the abutting property owner will be charged the full cost of controlling the vegetation. If the abutting property owner fails to pay this charge, the charge will become a lien on the property.

SECTION 04.03.080 NOTICE

When the Road Department determines that vegetation on a County road right-of-way is in need of control and that the spraying of herbicides will be part of the control program, the Road Department shall cause to be published a notice of the spray program for Coos County Road Department. [20-09-006L]

SECTION 04.03.090 NOTICE PUBLICATION

The notice required by Section 04.03.080 shall be published in newspapers as designated by the Board of Commissioners. The notice shall be published once a week for two (2)

consecutive weeks ending not later than two (2) weeks prior to February 15 of a given year. [97-08-008L]

SECTION 04.03.100

NOTICE CONTENTS

The notice required by Section 04.03.080 shall be in the form set out in Appendix IV - One, attached hereto and incorporated herein by this reference. [20-09-006L]

Road
COOS COUNTY

APPENDIX IV - ONE

[Revised by Ordinance 20-09-006L, effective January 18, 2021]

In the Matter of a Spray) NOTICE OF
Program for Coos County) SPRAY PROGRAM
Road Department)

TO: ALL INTERESTED PERSONS

1. In order to maintain County roads, the Coos County Road Department intends to institute a brush control program on March 1 which may include the use of herbicides on the rights-of-way of certain County roads.
2. Property owners may request the Coos County Road Department not to spray the right-of-way abutting their property. Property owners who wish the County not to spray must contact the Road Department. The Road Department will provide the property owner with a "No Spray" Agreement. It must be completed and returned by February 15.
3. The property owner must post the right-of-way to indicate the "No Spray" area with signs provided by the Road Department.
4. Failure to contact the Road Department, to enter into the agreement or failure to post the required signs will result in the Road Department spraying the right-of-way as planned.
5. If the property owner posts the abutting right-of-way as a "No Spray" area, the property owner is responsible for controlling the vegetation on the right-of-way. If the property owner fails to clear the right-of-way, the County may do so, with the cost charged to the property owner. Failure to pay this cost will result in a lien being assessed against the property.
6. Contact the Coos County Road Department at 1281 W. Central, Coquille, Oregon 97423 for further information.

Coos County Roadmaster

[97-08-008L] [20-09-006L]

DIVISION FOUR - WAYS OF NECESSITY

SECTION 04.04.010

PURPOSE

The purpose of this Division is to transfer jurisdiction over the establishment of ways of necessity from the Coos County Board of Commissioners to the Circuit Court of Coos County.

SECTION 04.04.020

FINDINGS

The Board of Commissioners of Coos County finds that:

- (1) Oregon Laws 1979, Chapter 862 provides that a County governing body may adopt an ordinance removing the governing body from jurisdiction over the establishment of ways of necessity, whereupon the Circuit Court would assume jurisdiction.
- (2) The Board of Commissioners has determined that ways of necessity proceedings require it to sit in a judicial capacity concerning matters which would be better served by their being in Circuit Court.
- (3) The Board of Commissioners finds that it is in the best interest of the citizens of Coos County that the Circuit Court have jurisdiction over the statutory establishment of ways of necessity.

SECTION 04.04.030

JURISDICTION

The Board of County Commissioners of Coos County is hereby removed from jurisdiction over the statutory establishment of ways of necessity. The Circuit Court of Coos County shall have jurisdiction of the statutory establishment of ways of necessity pursuant to Section 10(2) of Oregon Laws 1979, Chapter 862.

DIVISION FIVE - ROAD AUTHORITY

[Revised by Ordinance 09-05-002L adopted June 3, 2009]

04.05.010

DEFINITIONS

As used in this Division, unless the context requires otherwise:

- (1) "Road" has the definition stated in ORS 368.001, and includes "county roads" and "local access roads" as defined in ORS 368.001. The terms "highway," "road," and "street," or in the ORS chapters incorporated herein, shall be considered synonymous unless the context precludes such construction.
- (2) "Vehicle" has the definition stated in ORS 801.590 and includes campers, pickup truck canopies, and all-terrain vehicles or any component thereof.

04.05.020

POWERS OF THE ROADMASTER

- (1) Subject to state law, the Roadmaster shall exercise all road authority for the County.
- (2) The powers of the Roadmaster shall include, but not be limited to:
 - (a) Designation of through roads
 - (b) Designation of one-way roads
 - (c) Designation of truck routes
 - (d) Designation of alternative routes
 - (e) Restriction of the use of certain roads by any class or kind of vehicle to protect the roads from damage
 - (f) Authorization of greater maximum weights or lengths for vehicles using roads than specified by state law
 - (g) Initiation of proceedings to change speed zones pursuant to state law
 - (h) Establish, maintain, remove or alter the following classes of traffic controls:
 - (A) Crosswalks, safety zones and traffic lanes,
 - (B) Intersection channelization and areas where drivers of vehicles shall not make right, left or U-turns and the time when the prohibition applies;
 - (C) Parking area and time limitations, including the form of permissible parking.
 - (i) Issue over-dimensional vehicle permits.
- (3) Regulations issued by Roadmaster shall be effective upon posting in the area to be regulated.

04.05.030

TEMPORARY TRAFFIC CONTROL

When it is necessary to protect the health, safety and welfare of the public, the Roadmaster may establish any temporary traffic control devices deemed by the Roadmaster to be necessary under the circumstances.

04.05.040

RESTRICTIONS

REVIEW OF PERMANENT PARKING

Any person may request review by the Board of Commissioners of the Roadmaster's designation of permanent parking restrictions pursuant to CCC 04.05.020(2)(h)(C) by filing with the Board of Commissioners a written request for review within thirty (30) days after the restriction is posted, setting forth the reasons for the review. The Board of Commissioner's decision on the restriction is final.

04.05.050

PARKING RESTRICTIONS

- (1) No vehicle shall be parked, stopped, or left standing in violation of ORS 811.550 to 811.560, or 811.570 to 811.575.
- (2) No vehicle shall be parked upon any Road in a location within twelve feet of any mailbox used for pickup or delivery of the United States mail.
- (3) No trailer shall be parked upon any Road unless it is attached to a motor vehicle by which it may be propelled or drawn. This paragraph shall not apply to trailers which are disabled to such an extent that the driver cannot avoid temporarily leaving the disabled trailer on the Road, provided that the trailer must be removed within 72 hours.
- (4) No vehicle shall be parked upon any Road in violation of "No Parking" signs or markings, where the Roadmaster, authorizes such signs or markings.
- (5) No vehicle shall be parked on any Road for more than 72 hours.
- (6) No vehicle shall be parked where it is obstructing traffic.
- (7) Violation of any of the offenses in this section is a Class D Traffic Violation.

04.05.060

AUTHORIZED ENFORCEMENT PERSONS

The Coos County Sheriff, any person authorized by the Board of Commissioners to enforce parking ordinance violations or any Oregon Peace Officer is authorized to cite violators by placing a citation directed to the vehicle's owner upon the

windshield of any vehicle found in violation of this Division using the Uniform Traffic Citation.

04.05.070

OWNER RESPONSIBILITY

The registered owner of a vehicle placed in violation of a parking restriction shall be responsible for the offense.

DIVISION SIX - VEHICLE SIZE AND WEIGHT

SECTION 04.06.010

FINDINGS

- (1) The Board finds that ORS Chapter 818 establishes maximum sizes and weights for vehicles permitted to operate on highways of this state, such sizes and weights intended to allow complying vehicles to operate on all roads within the state including older roads not built to present day standards.
- (2) The Board finds that ORS Chapter 818 authorizes Coos County to fix maximum gross weight, length, width, types and classes of vehicles or combination of vehicles which may be operated on highways, roads or streets under its jurisdiction.
- (3) The Board finds that truck tractor-semitrailer combinations and truck tractor-semitrailer-trailer combinations, meeting certain requirements, have been authorized to operated on U. S. Highway 101 and Oregon Highway 42 by the Oregon Department of Transportation.
- (4) The Board finds that such vehicles using these roads may need to use certain County roads to reach their destinations.
- (5) The Board finds that the Coos County Roadmaster has determined which County roads are likely to be used by the above-described vehicles and which are capable of carrying these vehicles as shown in Appendix IV - Three, attached hereto and incorporated herein by this reference.

SECTION 04.06.020

DESIGNATION OF ROADS

The Coos County roads listed in Appendix IV - Three are in the judgment of the Coos County Board of Commissioners capable of carrying truck tractor-semitrailer combinations as described in OAR 734-73-060 (October, 1983) and truck tractor-semitrailer-trailer combinations as described in OAR 734-73-065 (October, 1983). After the effective date of this Division, no permit shall be required for the operation of such vehicles upon the County roads listed in Appendix IV - Three. Except as provided by this Section, permits shall continue to be required for vehicles which do not comply with the statutory requirements of ORS Chapter 818.

APPENDIX IV - THREE

<u>County Rd. No.</u>	<u>Name</u>	<u>Length</u>
199	N. 8th St.	From Jct. Hwy 101 to County Rd. #186 (N. Lake St.)
186	N. Lake St.	to 12th Street
41	Hauser Depot	from Jct. Hwy 101 to end
218	Jordan Cove	from Jct. Hwy 101 to end
129	Mullen St.	From Jct. Hwy 101 to end
114	Isthmus St.	from Jct. Hwy 101 to end
5	North Bank	from Jct. Hwy 42 to Jct. County Rd. No. 208
208	E. Beaverhill	from Jct. County Rd. #5 (North Bank Rd.) to Hwy 101
108	Cedar Point	from Jct. Hwy 42 to Roseburg Lumber Co. Mill site
57	Coos City Sumner	from Jct. Hwy 101 to Coos City Brdg. (apprx. 60 East)

DIVISION SEVEN - LEGALIZATION OF ROADS
Revised by Ordinance 24-02-002L;
Effective June 17, 2024]

SECTION 04.07.010 POLICY AND PURPOSE

The Coos County Board of Commissioners finds that there is a need to extend the legalization process under ORS 368.201 through 368.221 to local access roads and to provide clarification of and guidelines to ORS 368.211 as it applies to just compensation as defined in Article I, Section 18, of the Oregon Constitution.

SECTION 04.07.020 AUTHORITY

The Coos County Board of Commissioners has the authority to initiate proceedings to legalize a road right-of-way under ORS 368.201 through 368.221 if any of the following conditions exist:

- (1) If, through omission or defect, doubt exists as to the legal establishment or evidence of establishment of a county road or local access road.
- (2) If the location of a county road or local access road cannot be accurately determined due to numerous alterations of the road, a defective survey of the road or adjacent property, or loss or destruction of the original survey of the road.
- (3) If a county road or local access road as traveled and used for 10 years or more does not conform to the location of a road described in the county records.

SECTION 04.07.030 LEGALIZATION UNDER STATUTORY PROCEDURE

The provisions of this Division and the provisions of ORS 368.201 through 368.221 shall be followed to locate the exact boundaries of an existing public road through the procedure known as legalization. The provisions of this Division and ORS 368.201 through 368.221 shall be followed to legalize a local access road in the same manner as a county road.

SECTION 04.07.040 CLAIM FOR DAMAGES

- (1) Any person whose lands are directly affected by a legalization or who has established a structure that encroaches on a road right-of-way being considered for legalization may file a Claim for

- Damages.
- (2) To qualify for compensation, a person must file a Claim for Damages, in writing, with the Board of Commissioners before the close of the legalization hearing. Failure to file a Claim for Damages before the conclusion of the hearing is a waiver of compensation rights thereto by all affected parties.
 - (3) The Board of Commissioners shall review all Claims for Damages and determine the damages, if any, to be paid the claimant. The Board of Commissioners shall deny a claim for damages if it is determined by the Board that:
 - (a) At the time the person acquired the structure, the person had a reasonable basis for knowing that the structure may encroach upon the road; or
 - (b) Upon the original location of the road, the person or person's grantor received damages; or
 - (c) The person or person's grantor applied for or assented to the road passing over the property; or
 - (d) When making settlements on the property, the person found the road in public use and traveled.
 - (4) The compensation allowed under ORS 368.211 shall be just compensation for the removal of the encroaching structure or use of the land.
 - (5) If the Board of Commissioners determines that removal of an encroaching structure is not practical, the Board may acquire property to alter the road being legalized.
 - (6) The County governing body may proceed to determine compensation and acquire any encroaching structure or land by any method under ORS 368.096.

SECTION 04.07.050

REMONSTRANCE

- (1) Any person owning or residing on lands directly affected by a legalization may file a remonstrance against the proposed legalization.
- (2) A remonstrance must be filed with the Board of Commissioners in writing before the close of the legalization hearing. Failure to file a remonstrance before the conclusion of the hearing is a waiver of all rights thereto by all affected parties.
- (3) The remonstrance shall be considered by the Board in conjunction with ORS 368.216.

SECTION 04.07.060

LEGALIZATION AND VACATION

In the order issued pursuant to ORS 368.216 ordering the legalization of the road, the Board of Commissioners shall also order the vacation of any portion of the original right-of-way not included in the legalized right-of-way. Ownership of the vacated right-of-way shall be determined by ORS 368.366.

DIVISION EIGHT - NAMING OF ROADS / RURAL ADDRESSING
[Adopted as Division Eight of Article
Four on October 6, 1993][Extensively
revised by Ordinance 20-10-007,
effective February 1, 2021]

ROAD NAMING

SECTION 04.08.010

FINDINGS

The Board of Commissioners finds:

- (1) ORS 215 empowers the Coos County Board of Commissioners, (hereafter "the Board"), to define through an ordinance the procedures and requirements relating to the addressing of parcels in the unincorporated areas of Coos County, and to provide a uniform road naming system for Coos County.
- (2) That the official names of some roads may not correspond to the name commonly used by the public.
- (3) That some roads are known by more than one official and/or common name.
- (4) That some roads do not have an established official name.
- (5) That there is a need for a procedure for establishing official road names in order to ensure that the proposed road name will not duplicate existing road names and that the proposed name will correspond to the road name commonly used by the public.
- (6) That all applicable roads should be named in order to facilitate emergency response and promote the health, safety, and welfare of the public.
- (7) The naming of a road does not in any way alter the legal status or the size of the road, nor does road naming transfer title to or ownership of the road in question. [20-10-007L]

SECTION 04.08.020

DEFINITIONS

The following definitions shall apply to the provisions of this Division:

- (1) "Address Marker" shall mean a sign post of dimensions described by the Coos County Road Department upon which the five-digit rural address is clearly marked.
- (2) "Building" shall mean a residence or place of business that has telephone service. It shall not include accessory structures on the same parcel as the primary structure.
- (3) "Driveway" shall mean a private way that provides vehicular access to a house or other use on a

single parcel of property but does not include access easements providing access to other properties.

- (4) "Private Road" shall mean a private right of way created by a recorded easement or other instrument, not dedicated to or accepted by the County or other public body, and not designated as part of the County road maintenance system. [20-10-007L]
- (5) "Road" shall mean a "County road" or "local access road" (as defined by ORS Chapter 368) and a private road.
- (6) "Parcel" shall mean a lawfully created unit of land. [03-11-013L]

SECTION 04.08.030

ROAD NAMING STANDARDS

- (1) The Coos County Planning Department shall have authority to and shall assign road names to roads requiring names as described in this Division. In assigning road names, the Planning Department will coordinate with the emergency services on new road name and addressing issues to ensure maximum emergency response efforts are met. [20-10-007L]
- (2) Naming of Unnamed Roads Generally. All unnamed public and private roads and other roadways which provide legal access to three or more lawfully established uses shall be named in accordance with this Division. The road naming procedure under SECTION 04.08.040 of the Coos County Code shall be initiated under the following circumstances:
 - (a) Land division. When a road is created or provides access to 3 or more units of land, the applicant shall be required to submit a road name application for each proposed road created by the land division.
 - (b) Renaming existing roads. Existing roads may be renamed by the Planning Department if the existing road name is not consistent with the provisions of this Article. Such a process shall be initiated by the County or abutting property owner under Section 04.08.040 below.
 - (c) Naming existing unnamed roads. By an application from a developer or property owner abutting the road pursuant to this Article or initiated by the County if the County determines that assigning a name is necessary in order to adequately direct emergency service providers. When the road name process is initiated by the County, the County shall provide signs and issue new addresses to existing development where an address change is the result. If a new road is created as part

- of a land division and/or new development, the applicant for the land division and/or new development is responsible financially for the road name and new addresses.
- (3) Road Naming Standards. A proposed road name shall comply with the following standards:
- (a) A name shall be limited to a maximum total length of fifteen (15) letters and may include up to two (2) words, excluding the suffix indicator, i.e. Road, Lane, Loop or Drive;
 - (b) No duplication with other existing road names, except for continuation of existing roads;
 - (c) Not sound so similar to other roads as to be confusing;
 - (d) The designation of roads shall generally conform to the following:
 - i. All roads extending predominantly north and south shall be known as "Road";
 - ii. All roads extending predominantly east and west shall be known as "Lane";
 - iii. All roads beginning on a route or road and circling back to the same route or road shall be known as "Loop";
 - iv. Roads extending less than 1000 feet with no outlet shall be known as "Drive";
 - (e) Where road names are proposed for change, every effort will be made to maintain historical road names. [98-10-007L]
- (4) No road shall be named unless it provides legal access to three or more lawfully established uses. [06-12-013L]

SECTION 04.08.040

PROCEDURES FOR ROAD NAMING

- (1) Application for Naming or Renaming.
- (a) The naming or renaming of a road may be initiated by the Planning Department, Public Works Department, the Coos County Sheriff's Office, the Board of Commissioners, adjacent property owners, developers, or public agencies which may be affected by road names.
 - (b) An application to name a road shall be submitted to the Coos County Planning Department and shall include, at a minimum, the following:
 - i. Name of applicant;
 - ii. Location of road by description and/or map;
 - iii. Legal status of road, if known and copy of easement if available;
 - iv. Proposed road name, with two alternate proposed names;
 - v. Reason for name request;

- vi. Petition(s) attached, if any, and
 - vii. Fee, if any, as established by the Board.
- (2) Notice of a proposed name assignment shall be sent to all persons owning property abutting the affected road or having a legal address on the affected road. Such notice shall be sent within 10 days of the receipt of an application, if any, or other action initiating the proposed road name assignment.
 - (3) Persons receiving notice under Subsection (2) above shall promptly notify any tenants or other occupants of the affected property of the proposed name assignment.
 - (4) Any person receiving notice under this Section may comment in writing on the proposed name within ten (10) days from the date of the notice.
 - (5) Standards. Road Naming standards are found in Section 04.08.030.
 - (6) Staff Review and Road Name Assignment. The Planning Department shall review road name applications and shall assign road names under the following procedure:
 - (a) Verify status of road.
 - (b) Check proposed road name(s) to avoid duplication or confusing similarity with other existing road names, with those on approved preliminary land divisions and with those approved for future use.
 - (c) Coordinate with Public Works to perform a field check, when necessary.
 - (d) Assist the applicant or other affected person(s) to find alternate names when required.
 - (e) Notify appropriate persons, departments and agencies of the road name application, and request comments, including those set forth in Section 11(b) below when applicable
 - (f) Review and consider all comments submitted.
 - (g) Assign a road name in accordance with the standards set forth in Section 04.08.030.
 - (7) Notice of Staff Decision. Following assignment of a road name by the Planning Department, notice of the road name assignment shall be sent to all persons entitled to notice under Subsection (2).
 - (8) Appeal. Affected property owners and occupants shall have the right to appeal the assignment of a road name by the Planning Department. Such appeals shall be conducted in accordance with Section 04.08.050. Affected property owners and occupants shall have ten (10) days from the date the staff decision is mailed in which to file an appeal. Issues on appeal shall be limited to whether the Planning Department correctly applied the criteria set forth herein.

- (9) A road name assignment becomes final when no further right of appeal established herein is possible. Within 30 days of the road name assignment becoming final, the Board shall sign an order establishing the road name as assigned by the Planning Department.
- (10) The affected property owners and occupants shall have 180 days from the date of the Board order of road name assignment to begin using the road name, which may require a property owner to apply for a new address number.
- (11) Notice of Decision. Following the order of the Board naming a road, the Planning Department shall:
 - (a) Notify all parties as set out in Subsection 2.;
 - (b) Send copies of the order naming the road to the following departments or agencies affected by the road:
 - i. Road Department/Public Works.
 - ii. Assessor's Office.
 - iii. Postmaster.
 - iv. County Clerk's and Election office.
 - v. Affected telephone and other utilities.
 - vi. Affected fire department(s).
 - vii. Local school district(s).
 - viii. Emergency services, i.e., police, fire, 911, etc.; and
 - (c) File the original order naming a road with the County Clerk.

SECTION 04.08.050

APPEAL PROCESS FOR ROAD NAMES

- (1) Appeal. Affected property owners and occupants shall have the right to appeal the assignment of a road name by the Planning Department within 10 Business Days of the date the decision was mailed. The appeal shall be received by staff no later than 5 pm on the 10th day.
- (2) An appeal shall be filed on the appropriate appeal form and be accompanied by the fee.
- (3) Issues on appeal shall be limited to whether the Planning Department correctly applied the criteria set forth herein
- (4) All properly filed appeals shall be heard by the Board of Commissioners at a public hearing.
- (5) A notice shall be provided at least 20 days prior to the hearing. The notice shall be provided to all persons owning property abutting the affected road or having a legal address on the affected road.
- (6) The Board of Commissioners will hold the public hearing as follows:
 - (a) Staff will provide background on the matter.
 - (b) The Board of Commissioners shall take

comments from persons appearing at the hearing who were entitled to notice under Section 04.08.040(2) above.

- (c) The Board may, in its discretion, allow comments from persons present who were not entitled to notice under Section 04.08.040(2) above.
- (d) The Board of Commissioners shall deliberate on the matter and decide if the Planning Department correctly applied the criteria for naming a road. The Board may continue the hearing, from time to time, upon verbal notice at the hearing, giving a specific date, time, and place for the continued hearing.
- (e) The decision of the Board shall be a written order instructing Planning Staff on the process for moving forward. If an appeal is denied, the road name will become official within 10 days of the order. If the appeal is found to be valid, Staff shall correct the error made in the process and send a new notice of decision.

RURAL ADDRESS NUMBERS

SECTION 04.08.060

FINDINGS

The Board of Commissioners finds:

- (1) That a uniform property numbering system is necessary to provide a simple and logical method for locating all buildings within the County's road network.
- (2) That such a numbering system should allow adequate space between numbers for subsequent development.
- (3) That there is a need for a procedure for establishing property addresses.

SECTION 04.08.070

EXCEPTIONS

Rural addresses shall primarily encompass areas outside city limits or urban growth areas. Rural addresses may also be applied to areas of conflict such as urban growth boundaries dividing a road.

SECTION 04.08.080

ADDRESS ASSIGNMENT

- (1) Generally:
 - (a) Municipal numbering systems may be used in and adjacent to urban growth and municipal boundaries to provide a consistent numbering system. [99-10-007L]
 - (b) Rural address numbers shall be assigned based

on a five-digit number derived from the Oregon State Plane Coordinate System with appropriate alterations to meet local needs for a uniform numbering system.

- (c) The Coos County Planning Department shall have responsibility for processing rural address applications for new or replacement buildings or parcels. [03-11-013L]
 - (d) Every building in Coos County shall obtain, or be assigned, a rural address number according to the provisions of this Division.
 - (e) A parcel of land without a building shall also be eligible for a rural address assignment. [03-11-013L]
- (2) Ten Mile Lake:
- (a) Ten Mile Lake address numbers shall be assigned based on continuous 52.8 foot incremental grid system with appropriate alterations to meet the specific needs around the Ten Mile Lake area.
 - (b) The numbering system shall begin at the North Lake Lane Bridge (spanning over the canal connecting north and south Ten Mile Lake) and shall be continuous along the north Ten Mile Lake shoreline. The numbering system shall proceed back through the canal and be continuous along the south Ten Mile Lake shoreline. [99-10-007L]

SECTION 04.08.090

RURAL ADDRESS APPLICATION

- (1) An application for a rural address shall be submitted to the Coos County Planning Department and shall include the following:
 - (a) Name of applicant;
 - (b) Name of property owner(s) if other than applicant;
 - (c) Location of property for which an address is to be assigned;
 - (d) Name of the road(s) abutting the property for which an address is to be assigned;
 - (e) Location of access point from adjacent property or road(s) abutting the property;
 - (f) Site plan location of the structure proposed for addressing;
 - (g) Assessor's map with tax lot or parcel highlighted. [03-11-013L]
- (2) The application may be submitted by:
 - (a) The Coos County Board of Commissioners adopting a resolution meeting the requirements of this Section;
 - (b) The property owner(s) or persons occupying the property;
 - (c) Any public agency whose function is affected

- by rural addresses.
- (3) If an application is submitted by the Coos County Board of Commissioners or any public agency, the Coos County Planning Department shall provide notice to the property owner(s) or persons occupying the property.
 - (4) The Planning Department shall collect a fee as determined by the Board of Commissioners pursuant to Article Nine, Division One of the Coos County Code, for the filing of a petition under this Section. This fee may be waived, at the discretion of the Board of Commissioners, for applications submitted by public agencies.
 - (5) An application filed under this Section may request the assignment of more than one address by including the information required by Subsection (1) of this Section for each address requested.

SECTION 04.08.100

ASSIGNMENT PROCESS

The Coos County Planning Department shall perform the following functions:

- (1) Verify property location and appropriate access road;
- (2) Assign an address number which conforms to the established numbering system recognizing the following:
 - (a) Buildings or parcels accessed from roads predominantly extending north-south will have a modified five-digit number derived from the north-south axis, or x-axis, of the State Plane Coordinate System. Addresses for buildings or parcels west of a road shall end in an even number and addresses for buildings or parcels east of a road shall end in an odd number. [03-11-013L]
 - (b) Buildings or parcels accessed from roads predominantly extending east-west will have a modified five-digit number derived from the east-west axis, or y-axis, of the State Plane Coordinate System. Addresses for buildings or parcels south of a road shall end in an even number and addresses for buildings or parcels north of a road shall end in an odd number. [03-11-013L]
 - (c) Address numbers are derived from a combination of Assessor maps, United States Geological Survey Maps, the State Plane Coordinate System, and/or the Global Position Satellite System.
- (3) Notify the following of the assigned address:
 - (a) Coos County Assessor;
 - (b) Coos County Elections Office;
 - (c) Coos County Sheriff;

- (d) Coos County Surveyor
- (e) Coos County Roadmaster;
- (f) Affected Utility Companies;
- (g) Affected Special District(s);
- (h) Local School District(s);
- (i) Local Post Office;
- (j) 911 Center;
- (k) Oregon State Highway Division; and
- (l) The Applicant

SECTION 04.08.110

ADDRESS MARKERS

- (1) The Coos County Road Department will supply and place the initial address marker once an address is assigned according to the provisions of this Division.
- (2) Address markers in the Ten Mile Lake area shall be fastened to docks or other appropriate location so as to be visible to emergency providers and the general public. [99-10-007L]
- (3) The property owner(s) or occupant shall thereafter be responsible for maintenance or replacement of the address marker.
- (4) Address markers shall be maintained in a condition and position so that the five-digit number is clearly visible from both directions on the adjacent road.
- (5) Address markers shall be maintained according to standards set forth by the Coos County Road Department.
- (6) It shall be unlawful for any person to damage, remove or obscure an address marker.

DIVISION NINE - CLOSURE OF ROADS DURING EMERGENCIES
[Renumbered as of November 3, 1999 to Article Ten, Division
Two]

DIVISION TEN - SIGNS ON SCENIC BYWAYS AND TOUR ROUTES

SECTION 04.10.010

PURPOSE

The purpose of this Division is to establish certain restrictions on business identification signs advertising products, facilities, goods or services in areas adjacent to or along segments of County road or state highway that have been designated as a scenic area or tour route.

SECTION 04.10.020

AUTHORITY

This Division is enacted pursuant to ORS 203.035 and ORS 377.510.

SECTION 04.10.030

OFF SITE SIGNS

Any business identification sign advertising products, facilities, goods or services occupying space on private property which is not the property occupied by the business is prohibited.