

Title 12

STREETS, SIDEWALKS AND PUBLIC PLACES

Chapters:

- 12.04 Street Naming System
- 12.08 Sidewalk Repairs
- 12.12 Work Permits for Public Rights-of-Way
- 12.16 Parades and Processions
- 12.20 Parks and Recreational Areas

Chapter 12.04

STREET NAMING SYSTEM

Sections:

- 12.04.010 System adopted.
- 12.04.020 Street naming generally.
- 12.04.030 Street name changes.
- 12.04.040 Conformance with chapter required.

12.04.010 System adopted.

A uniform and orderly system of naming the streets in the city of Toledo and its additions be and the same is adopted; and that the present names of the streets be changed to conform to said arrangement as hereinafter set out. (Ord. 426 § 1, 1931)

12.04.020 Street naming generally.

In accordance with the street naming system, the name of Hill Street is changed to Main Street and the name Fourth Street is changed to Graham Street; that the streets running north and south or northerly and southerly in a generally parallel direction to Main Street are to be named in relation to their position with regard to Main Street; and the streets running east and west or easterly and westerly and in a generally parallel direction to Graham Street are to be named in relation to their position with regard to Graham Street.

The streets lying to the west of Main Street and in a generally parallel direction thereto be named with the letters of the alphabet, the first street to the west of Main Street being A Street, the second B Street, and so on in like manner to the western extremity of the city and its additions.

The streets to the east of Main Street shall be given names, preferably the names of trees, the first letters of which names are to be alphabetical, that is, the first street to the east of Main Street shall be given a name beginning with "a," the second street to the east shall be given a name beginning with "b," and so on in like manner to the eastern extremity of the city and its additions.

The streets running generally parallel with and lying north and south of Graham Street and running in a generally easterly and westerly direction are to be numbered from Graham Street both north and

south, the first street north of Graham Street and also south of Graham Street to be First Street, the second street both to the north of Graham Street and to the south of Graham Street to be Second Street, and so on in like manner to the northern and southern extremities of the city, together with its additions; those streets north of Graham Street running in a generally parallel direction thereto and bearing numbers as hereinabove set out to be designated north as First Street North, Second Street North, etc., in like manner; and those streets south of Graham Street and running in a generally parallel direction thereto are to be designated south as First Street South, Second Street South, and so on, in like manner. (Ord. 426 § 2, 1931)

12.04.030 Street name changes.

In accordance with the plan of naming the streets in the city of Toledo and all additions thereto, the present names of the streets therein are changed as follows:

Hill Street to Main Street

Fourth Street to Graham Street

Third Street to First Street South

Second Street to Second Street South

A Street to Third Street South

First Street to Third Street South

B Street (extending from the former location of Graham Street East) to Fifth Street South

The unnamed street commonly called Division Street (being south of Jones' Addition and Nash's Addition) to Sixth Street South

William Street to Seventh Street South

Stark Street to Eighth Street South

Perkins Street (being a dedicated strip parallel to and the first street south of Eighth Street South) to Ninth Street South

Fifth Street to First Street North, which said street shall extend as far west as the county bridge across Depot Slough, following the present line of the Yaquina Road west of the Southern Pacific Railroad track

Sixth Street to Second Street North

Seventh Street to Third Street North

Eighth Street to Fourth Street North

The street designated as Ninth Street, west of Main Street (formerly Hill Street) and Tenth Street east of Main Street, to Fifth Street North

The street designated as Tenth Street west of Main Street and Eleventh Street east of Main Street to Sixth Street North

The street designated as Eleventh Street west of Main Street and Twelfth Street east of Main Street to Seventh Street North

The street designated as Twelfth Street west of Main Street and Thirteenth Street east of Main Street, to Eighth Street North

Howell Street to Ninth Street North

Park Avenue to Tenth Street North

Grove Street to Alder Street

Graham Street to Beech Street  
Jones Street to Cedar Street  
A Street in Vincent's Addition, to Cedar Street  
Enderly Street to Douglas Street  
B Street in Vincent's Addition, to Douglas Street  
Stanton Street to Elder Street  
C Street in Vincent's Addition, to Elder Street  
Amanda Street to Fir Street  
Gidley Street to Fir Street  
D Street in Vincent's Addition, extending as far south as the south side of the intersection and of said D Street with the county road running east to Olalla Slough, to Fir Street  
Fir Street lying east of Gaither's Addition, to Grove Street  
A Street in Hawk's Townsite, to A Avenue  
B Street in Hawk's Townsite, to Main Street  
Catherine Street to Main Street  
Dale Street to B Street  
(Ord. 426 § 3, 1931)

12.04.040 Conformance with chapter required.

The streets in the city of Toledo and its additions are hereafter to be known by the names adopted in this chapter and not otherwise that in all additions to the city of Toledo hereafter laid out and dedicated, the plan of naming streets therein shall conform to the plan herein provided. (Ord. 426 § 4, 1931)

## Chapter 12.08

### SIDEWALK REPAIRS

#### Sections:

- 12.08.010 Duty of owners to make sidewalk repairs and power of the city council.
- 12.08.020 Council to control repairs.
- 12.08.030 Notice of defective sidewalks.
- 12.08.040 Permit for repairs.
- 12.08.050 Owner's protest to repairs.
- 12.08.060 Repairs by city, record and repairs.
- 12.08.070 Assessment for repairs by city.
- 12.08.080 Interest and foreclosure.
- 12.08.090 Owner's duty of sidewalk care--Penalty.
- 12.08.100 Removal or destruction of sidewalks--Penalty.
  
- 12.08.010 Duty of owners to make sidewalk repairs and power of the city council.

All property owners are required and it is their duty to keep the sidewalks adjoining and/or abutting upon their property free and clear of any defects, obstructions or hazardous materials and, failing in such duty, shall be liable to any person or persons injured thereby. (Ord. 724 § 1, 1960)

12.08.020 Council to control repairs.

The city shall have the power and authority to determine the grade and width of all sidewalks, the material to be used for the repair thereof, and the specifications for the repair thereof along or upon any street, way or part thereof within the city. (Ord. 724 § 2, 1960)

12.08.030 Notice of defective sidewalks.

If the owner of any lot or part thereof or parcel of land shall allow any sidewalk along the same to become out of repair, it shall be the duty of the city manager, his deputy, or any person appointed by the council for that purpose, when ordered to do so by the council, to post a notice on the adjacent property headed "Notice to Repair Sidewalk," and the notice shall direct the owner, agent or occupant of the property to repair the same within twenty (20) days thereof in good and substantial manner. The person posting the notice shall file with the city recorder an affidavit of the posting of such notice, stating the date when and the place where the same was posted. The city recorder shall, upon receiving the affidavit of the person posting the notice, send by certified mail a notice to repair the sidewalk to the owner, if known, and directed to the post office address of such owner or agent when such post office address is known to the city recorder. If such post office address is unknown to the city recorder, such notice shall be directed to such owner or agent at Toledo, Oregon. A mistake in the name of the owner or agent, or a name other than that of the true owner or agent of such property, shall not render void such notice, but, in such case, the posted notice shall be sufficient. The owner, agent or occupant shall make the repairs within twenty (20) days from the date of posting the notice. (Ord. 724 § 3, 1960)

12.08.040 Permit for repairs.

The owner, agent or occupant, before making the repairs shall obtain a written permission so to do from the city engineer. The permit from the city engineer shall state the kind of repair to be made, the material to be used, and specifications therefor. (Ord. 724 § 3a, 1960)

12.08.050 Owner's protest to repairs.

The owner notified to make repairs may make and file, within said twenty (20) days of the date of posting notice, written objections to the council protesting the proposed repair, which objections will be considered by the council at its next regular meeting thereafter. (Ord. 724 § 4, 1960)

12.08.060 Repairs by city, record and repairs.

If the owner, agent or occupant of any such lot or part thereof or parcel of land shall fail or neglect or refuse to make the sidewalk repairs within the time designated or, following consideration of the written objections, if any, the city council does not rescind the action of ordering the repair of the

sidewalk, the city manager shall then order the same done. He shall keep an accurate account of the cost of the labor and materials used in making such repairs and shall report monthly to the council all costs of such repairs, together with a description of the lot or part thereof or parcel of land fronting on or adjoining the sidewalk upon which such repairs are made. The costs of repair shall include legal, administrative and engineering costs. (Ord. 724 § 5, 1960)

12.08.070 Assessment for repairs by city.

The council shall, at least once each year, by ordinance levy upon each of the lots or parts thereof or parcels of land benefitted by sidewalks which have been so repaired by the city the cost of making such repairs including legal, administrative and engineering 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. (Ord. 724 § 6, 1960)

12.08.080 Interest and foreclosure.

Upon such entry in the lien docket, the amount so entered shall be a lien and charge upon the respective lots, tracts and parcels of land against which the same are placed. Such liens shall be first and prior to all other liens or encumbrances thereon whatsoever insofar as the laws of the state allow. Interest shall be charged at the rate of six percent per year until paid on all amounts not paid within thirty (30) days from the date of such entry. The city may proceed to foreclose or enforce any lien to which it shall be entitled pursuant to the provisions of this chapter at any time after thirty (30) days from the date on which the assessment was entered in the lien docket, as provided for the foreclosure or enforcement of liens by the general law of the state. (Ord. 724 § 7, 1960)

12.08.090 Owner's duty of sidewalk care--Penalty.

It shall be the duty of all property owners including record owners or contract purchasers, or both, to keep all sidewalks in front of and abutting and adjoining their property clean and in good repair. Failure to keep such sidewalks clean and/or free of debris will constitute a Class C infraction. (Ord. 1244 § 2 (part), 1996; Ord. 724 § 8, 1960)

12.08.100 Removal or destruction of sidewalks--Penalty.

No sidewalk in existence as of March 4, 1996 shall be destroyed or removed unless for purpose of replacement, improvement or repair without permission of the council. Violation of this section will constitute a Class B infraction. (Ord. 1244 § 2 (part), 1996; Ord. 724 § 9, 1960)

Chapter 12.12

WORK PERMITS FOR PUBLIC RIGHTS-OF-WAY

Sections:

- 12.12.010 Permit required.
- 12.12.020 Permit procedure.

- 12.12.030 Work requirements.
- 12.12.040 Payment for damaged city facilities.
- 12.12.050 Promulgation of standards.
- 12.12.060 Violation--Penalty.

12.12.010 Permit required.

Unless otherwise authorized by contract with the city of Toledo, no person, firm or corporation shall perform any work within the rights-of-way of any public street, road or alley in the city of Toledo or within any easement held by the city of Toledo or wherever else city utilities or facilities may be located, which work would affect traffic flow or any other activity within the right-of-way or easement or would disrupt in any way the surface of the right of way, without first applying for and obtaining from the city manager's office a permit to perform such work. (Ord. 1115 § 1, 1980)

12.12.020 Permit procedure.

A. Each applicant shall complete and sign forms provided by the city, stating the date, the applicant's full name, the location and specific nature of the work to be performed, and agreeing to pay to the city all costs incurred, as set forth in this chapter, for repair work performed by the city because of damage by applicant's work to public right-of-way surfaces or city utilities or any other facilities.

B. The city manager is authorized to grant a permit if the application is complete and the work to be performed will not halt or unduly delay traffic and will not unduly endanger city utilities or other facilities.

C. If the city manager denies application for a permit, the applicant may request a hearing before the city council. The request must be in writing and must be filed with the city manager within thirty (30) days of the receipt by the applicant of notification of the denial of the permit. The hearing shall be de novo, and the council's decision shall be final. (Ord. 1115 § 2, 1980)

12.12.030 Work requirements.

All work performed by a permittee shall be done quickly as possible and strictly according to the public works standards or any other applicable standards adopted by the city of Toledo. The permittee shall leave the surface of the right-of-way in as good or better condition than it was before the work began. (Ord. 1115 § 3, 1980)

12.12.040 Payment for damaged city facilities.

Whether a permittee or not, any person, firm or corporation, which damages in any way a city utility, such as sewer or water line, or any other city facility, shall immediately notify the city manager and repair the damage to the city's satisfaction. If the repair is not so done, the city of Toledo may perform whatever repair work it deems necessary. The cost of the city's work plus twenty (20) percent for administrative overhead, the total sum to be determined by the city manager, shall be charged to and paid by the permittee. (Ord. 1115 § 4, 1980)

12.12.050 Promulgation of standards.

The city manager is authorized to promulgate and adopt the public works standards and any other construction standards necessary to regulate all work done within the city of Toledo. (Ord. 1115 § 5, 1980)

12.12.060 Violation--Penalty.

Violation of this chapter will constitute a Class A infraction. (Ord. 1244 § 5, 1996)

Chapter 12.16

PARADES AND PROCESSIONS

Sections:

- 12.16.010 Prohibited activity.
- 12.16.020 Parade permit.
- 12.16.030 Appeal to council.
- 12.16.040 Offenses against parade.
- 12.16.050 Permit revocable.
- 12.16.060 Funeral processions.
- 12.16.070 Violation--Penalty.

12.16.010 Prohibited activity.

No person shall organize or participate in a parade which may disrupt or interfere with traffic without obtaining a permit. A permit shall always be required of a procession of people utilizing the public right-of-way and consisting of ten (10) or more persons or five or more vehicles. (Ord. 1072 § 28, 1979)

12.16.020 Parade permit.

A. Application for parade permits shall be made to the city manager at least ten (10) days prior to the intended date of the parade, unless the time is waived by him.

B. Applications shall include the following information:

1. The name and address of the person responsible for the proposed parade;
2. The date of the proposed parade;
3. The desired route including assembling points;
4. The number of persons, vehicles and animals which will be participating in the parade;
5. The proposed starting and ending time; 6. The application shall be signed by the person designated as chairman.

C. If the city manager, upon receipt of the application, determines that the parade can be conducted without endangering public safety and without seriously inconveniencing the general public, he shall approve the route and issue the permit.

D. If the city manager determines that the parade cannot be conducted without endangering public safety or seriously inconveniencing the general public, he may:

1. Propose an alternate route;
2. Propose an alternate date;
3. Refuse to issue a parade permit.

E. The city manager shall notify the applicant of his decision within five days of receipt of the application.

F. If the city manager proposes alternatives or refuses to issue a permit, the applicant shall have the right to appeal his decision to the city council. (Ord. 1072 § 29, 1979)

#### 12.16.030 Appeal to council.

A. An applicant may appeal the decision of the city manager by filing a written request of appeal with the city recorder within five days after the city manager has proposed alternatives or refused to issue a permit.

B. The council shall schedule a hearing date which shall not be later than the second regular session following the filing of the written appeal with the city recorder and shall notify the applicant of the date and time that he may appear either in person or by a representative. (Ord. 1072 § 30, 1979)

#### 12.16.040 Offenses against parade.

A. No person shall unreasonably interfere with a parade or parade participant.

B. No person shall operate a vehicle that is not part of a parade between the vehicles or persons comprising a parade. (Ord. 1072 § 31, 1979)

#### 12.16.050 Permit revocable.

The city manager may revoke a parade permit if circumstances clearly show that the parade can no longer be conducted consistent with public safety. (Ord. 1072 § 32, 1979)

#### 12.16.060 Funeral processions.

A. A funeral procession shall proceed to the place of interment by the most direct route which is both legal and practicable.

B. The procession shall be accompanied by adequate escort vehicles for traffic control purposes.

C. All motor vehicles in the procession shall be operated with their lights turned on.

D. No person shall unreasonably interfere with a funeral procession.

E. No person shall operate a vehicle that is not a part of the procession between the vehicles of a funeral procession. (Ord. 1072 § 33, 1979)

#### 12.16.070 Violation--Penalty.

Violation of any section of this chapter will constitute a Class C infraction. (Ord. 1244 § 8 (part), 1996; Ord. 1072 § 39 (part), 1979)

## Chapter 12.20

### PARKS AND RECREATIONAL AREAS

Sections:

12.20.010 Rates.

12.20.010 Rates.

The city council appoints the city manager and parks and recreational director to annually review and recommend rates for the pool and park and recreation activities. The council shall by resolution set rates for the pool and park and recreation activities. (Ord. 1199 § 1, 1992)