

ORDINANCE NS- 2296

AN ORDINANCE AMENDING THE BEND CODE, CHAPTER 6.15

Findings:

- A. Bend is experiencing dynamic growth, including an increase in residents and visitors.
- B. Among its adopted goals, the City Council has prioritized measures to move people and products around Bend efficiently, safely, and reliably.
- C. The system of public ways, including sidewalks, allows people to move around the City, including as pedestrians.
- D. It is important for all residents and visitors to have the ability to use the public ways, including sidewalks, with a minimum of obstruction.
- E. The downtown Bend area is particularly reliant on sidewalks and other public ways for the free flow of pedestrian traffic, which enhances the vibrancy of downtown and promotes the benefits of an environment that encourages pedestrian traffic.
- F. Amending the Bend Code to clarify the scope and application of the existing provision regarding obstruction of public ways will help promote pedestrian traffic and accessibility of public ways within the City.
- G. The Code amendment will provide better and more objective notice to the public regarding the need to keep public ways free of obstructions, and what constitutes an obstruction.
- H. The Code amendment will also provide law enforcement with an enhanced tool to manage obstructions of public ways in order to promote the free flow of traffic and ensure access for all.
- I. The City Council finds that this measure will promote access to public ways for all Bend residents and visitors, and intends that it be applied fairly, equitably, and without regard to any aspect of any person's status.

Based on these findings, the City of Bend ordains as follows:

Section 1. Chapter 6.15 of the Bend Code is amended in accordance with Exhibit A.

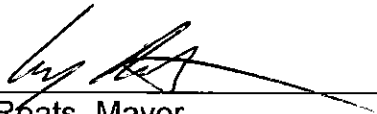
Section 2. All other provisions of the Bend Code remain unchanged and in full effect.

First Reading: September 6, 2017

Second Reading and Adoption by Roll Call Vote: September 20, 2017

YES: Casey Roats, Mayor
Sally Russell
Bill Moseley
Bruce Abernethy
Nathan Boddie
Justin Livingston
Barb Campbell

NO: NONE



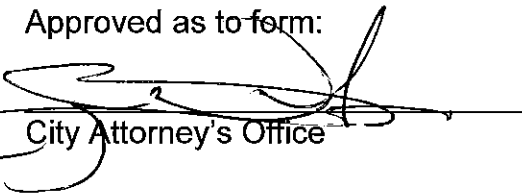
Casey Roats, Mayor

ATTEST:



Robyn Christie, City Recorder

Approved as to form:



City Attorney's Office

EXHIBIT A

Chapter 6.15

TRAFFIC REGULATIONS

Sections:

- 6.15.000 Crossing Private Property.
- 6.15.005 Throwing Material from a Vehicle.
- 6.15.010 Obstructing Public Ways.
- 6.15.015 Sidewalks.
- 6.15.020 Streets Prohibited to Trucks.
- 6.15.025 Removing Glass and Debris.

6.15.000 Crossing Private Property.

A. The operator of a vehicle shall not proceed from a street to another street by crossing private property. This provision shall not apply to stops on the property to procure or provide goods or services.

B. A violation of this section is a Class C civil infraction. [Ord. NS-2140, 2010]

6.15.005 Throwing Material from a Vehicle.

A. It is unlawful to throw, drop or otherwise discard any item from a vehicle onto any public right-of-way or premises open to the public.

B. A violation of this section is a Class B civil infraction. [Ord. NS-2140, 2010]

6.15.010 Obstructing Public Ways.

A. Except as authorized in subsection (B) of this section, no unauthorized person shall obstruct a public way, including but not limited to streets, alleys, and sidewalks, and the breezeway from the western terminus of Minnesota Avenue to Riverfront Plaza, by depositing or storing personal property or other material on public ways or by any other manner obstructing or interfering with public ways. For purposes of this section, a person, personal property, or other material obstructs and interferes with a public way by being positioned so that the accessible passageway is less than six feet in width. Obstruction of a sidewalk is a violation, even if the adjacent street is not obstructed.

B. Merchandise or equipment delivery is allowed for the time needed to accomplish the delivery, not to exceed 10 minutes, or between the hours of 8:00 p.m. and 11:00 a.m. Delivery authorized under this section shall minimize obstruction of public ways to the extent possible.

C. An authorized obstruction of a public way between sunset and sunrise shall be illuminated by warning lights or reflective materials clearly visible 200 feet in all directions.

D. No person shall use a public way for display or sale of goods except as authorized by the City.

E. No person shall deposit garbage, earth, debris or rubbish of any kind on a public way, in the Deschutes River or any irrigation canals within the City unless authorized by the City.

F. A violation of this section is a Class B civil infraction. A violation of subsection (B) of this section may be cited as a parking violation. No person may be cited under this section prior to being asked by law enforcement to move or otherwise remedy the obstruction or interference. [Ord. NS-2140, 2010]

6.15.015 Sidewalks.

A. No person shall ride, drive or operate a motor vehicle on or across a public sidewalk within the City except at driveway access points.

B. This section shall not apply to motorized vehicles used for public safety, snow removal, maintenance and repair, or mobility devices used by persons with disabilities.

C. A violation of this section is a Class A civil infraction. [Ord. NS-2140, 2010]

6.15.020 Streets Prohibited to Trucks.

A. When the use of a street is prohibited to trucks exceeding a specified weight, no person shall operate a truck on the street contrary to the prohibition except for the purpose of delivering or picking up materials or merchandise and then only by entering the street at the intersection nearest the destination of the vehicle and leaving by the shortest route.

B. A violation of this section is a Class C civil infraction. [Ord. NS-2140, 2010]

6.15.025 Removing Glass and Debris.

A. A party to a vehicle crash or a person causing broken glass or other debris to be deposited on a street shall be responsible for the removal of glass or other debris from the street.

B. A violation of this section is a Class C civil infraction. [Ord. NS-2140, 2010]