

SPECIAL USES OF COUNTY ROADS

52.100 DEFINITIONS.

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

- (1) "Applicant" means individual or entity applying to the County for permission to temporarily close or use certain limited portions of various County and public roads.
- (2) "Board" means the Board of Commissioners of Polk County.
- (3) "County Road" means a road under the jurisdiction of a county that has been designated as a county road by the County.
- (4) "Director" means the Director of the Polk County Public Works Department.
- (5) "Motor Vehicle" means a vehicle that is self-propelled or designed for self-propulsion.
- (6) "Road" means the entire right-of-way of any public or private way that provides ingress to or egress from property by means of motor vehicles or other means or that provides travel between places by means of motor vehicles. "Road" includes, but is not limited to:
 - (a) Ways described as streets, highways, throughways, or alleys;
 - (b) Road related structures that are in the right-of-way such as tunnels, culverts, or similar structures; and
 - (c) Structures that provide for continuity of the right-of-way such as bridges.
[Ord. 93-7, Sec. 1]

52.102 PERMIT REQUIRED.

No person shall hold or participate in a community event, block party, bicycle race, foot race, parade, or march that utilizes any portion of a county road for the conduct of the event unless a permit for use of the county road has been obtained from the Director. [Ord. 93-7, Sec. 1]

52.104 TEMPORARY CLOSURE OR USE OF PUBLIC ROADS.

The Director may issue permits for activities listed in Section 52.102. Such permits may authorize the closure of any County road. Permit and road closure requests are subject to the following conditions:

- (1) Written requests shall be submitted to the Director at least 30 days in advance of the proposed closure or use on forms provided by the Public Works Department. The application shall include all information requested by the application form which may include maps, sketches, proposed signage, barricades, and traffic control devices.

(2) For block party events, the signatures of all owners or contract purchasers of record of real property adjoining the portion of the road to be closed shall be contained in the written request to the Director, and no more than three (3) successive blocks, or 600 feet, whichever is greater, shall be closed pursuant to any particular application.

(3) The period of closure shall be for not more than eight (8) hours, unless extended in writing by the Director.

(4) Postal and emergency vehicles such as fire, police, medical, or other shall be permitted access at all times.

(5) A reasonably safe and convenient alternate access route exists to and through the area to be closed.

(6) The closure will not significantly impair the travel of motor vehicles through the general area that is subject to the use or closure.

(7) The Director shall provide all agencies providing emergency services in areas affected by the use or closure, and the Board of County Commissioners with notice of the proposed use or closure at least ten (10) days prior to issuance of the permit. Additionally, the Director will notify each affected agency of his decision to issue or deny a permit at least three (3) days prior to the proposed date of closure or use and shall provide each agency with all relevant information concerning the closure or use, to include alternate routes and methods of signing. [Ord. 93-7, Sec. 1]

52.106 CONDITIONS OF APPROVAL.

The Director is delegated the authority to condition approval of permits for use of a County road upon compliance with reasonable conditions of approval. The following conditions of approval shall be included by the Director for all permit approvals:

(1) The permit application shall provide proof that the applicant has obtained general liability insurance that covers the permitted event prior to conduct of the event. Polk County shall be named as an additional insured on said insurance policy for purposes of the permitted event. The insurance policy limits shall in no event be less than the tort liability limits of the County specified by the Oregon Legislature.

(2) The applicant shall furnish, maintain, and remove those traffic barriers, traffic control devices, and other signs that are required by the Director. [Ord. 93-7, Sec. 1]

52.108 APPEALS.

Any person or entity aggrieved by a decision of the Director denying or approving a road closure or use may appeal such decision to the Board within ten (10) days of the decision. [Ord. 93-7, Sec. 1]

52.110 PENALTIES.

A violation of Section 52.102 and the failure of an applicant to comply with conditions of approval imposed by the Director under Section 52.106 are violations of law which are punishable upon conviction by a fine of not more than \$500. These penalties shall be in addition to any other remedies provided by law to Polk County. [Ord. 93-7, Sec. 1]