

BOOK 108 PAGE 059

FILED

COUNTY COURT JOURNAL

99 JUL 22 AM 10: 58

JOSEPHINE VELTRI
COUNTY CLERK

PUBLIC ROAD
IMPROVEMENT ORDINANCE

#55

DEPUTY 

TILLAMOOK COUNTY
OREGON

ADOPTED
June 23, 1999

TILLAMOOK COUNTY PUBLIC ROAD IMPROVEMENT ORDINANCE

TABLE OF CONTENTS

SECTION NUMBER AND TITLE	PAGE
SECTION I. PURPOSE.....	3
SECTION II. DEFINITIONS.....	3
SECTION III. WHEN PERMIT IS REQUIRED.....	6
SECTION IV. APPLICATION FOR PERMIT.....	6
SECTION V. INITIAL STAFF REVIEW.....	7
SECTION VI. CONCEPT PLAN APPROVAL.....	7
A. CONCEPT PLAN APPROVAL BY THE DIRECTOR.....	7
B. CONCEPT PLAN APPROVAL BY THE BOARD.....	8
C. ADDITIONAL DETAILS.....	9
SECTION VII. CONSTRUCTION PLANS APPROVAL.....	9
SECTION VIII. APPROVAL OF PERMIT.....	10
SECTION IX. APPEAL OF CONCEPT PLAN.....	13
SECTION X. FEES.....	13
SECTION XI. STANDARDS.....	15
SECTION XII. VARIANCE FROM STANDARDS.....	18
SECTION XIII. SAVINGS CLAUSE.....	18
SECTION XIV. ENFORCEMENT.....	18
SECTION XV. ADOPTION.....	19
EXHIBIT A: STANDARD ROADWAY SECTION	
EXHIBIT B: MINIMUM ROADWAY SECTION	

The Board of Commissioners for Tillamook County ordains as follows:

SECTION I. PURPOSE

The purpose of this ordinance is to establish standards for road improvements to all Public Roads in Tillamook County outside of incorporated cities and County Roads within incorporated cities.

These regulations are necessary:

1. to ensure road improvements are constructed to include safety design features; and
2. to ensure the road improvement construction is compatible with the existing topography and road intersections; and
3. to ensure the road improvement construction allows proper roadway drainage; and
4. in order to provide uniform procedures and standards for road improvements; and
5. to coordinate road improvement construction with development plans of others (i.e. utilities, other public facilities, interested private parties, etc.); and
6. to ensure proper completion of initiated on-site construction work in public right of ways; and
7. to protect in other ways the public health, safety and general welfare.

SECTION II. DEFINITIONS

- A. APPLICANT. Any person proposing to construct or modify a road within a public right of way.
- B. AVERAGE DAILY TRAFFIC (ADT). The total (traffic) volume during a given time period (in whole days), greater than one day and less than one year divided by the number of days in that time period.
- C. BOARD OF COMMISSIONERS. (Board). The Tillamook County Board of Commissioners.
- D. CONCEPT PLAN. The conceptual proposal for road improvements initially submitted by the applicant to Public Works. Submission of the concept plan in accordance with Section IV of this ordinance initiates the formal road improvement review process. Concept plan approval is authorization to continue the road construction application process toward construction plans approval and final approval of permit.

- E. CONSTRUCTION PLANS. These are drawings and supporting documents that describe proposed road improvements. Submitted construction plans are signed by a licensed Professional Engineer specially qualified in civil engineering and are those documents used by a contractor to complete the improvements.
- F. COUNTY. Tillamook County, Oregon.
- G. DEPARTMENT OF PUBLIC WORKS. (Public Works or Department). The county department responsible for the construction and maintenance of county roads.
- H. DIRECTOR. The Tillamook County Director of Public Works, or a designee thereof.
- I. EMERGENCY ACCESS REQUIREMENTS. Any requirements, standards or exceptions of the local emergency services that are required for vehicle access into and through a right of way.
- J. PERMIT. "Public Road Improvement Permit" or the written authorization by Public Works to proceed with road construction.
- K. PERSON. An individual, firm, partnership, corporation, company, association, syndicate, or any legal entity, including a trustee, receiver, assignee, or other similar representative thereof.
- L. PRIVATE ROAD or STREET. A private way to provide vehicular access to one or more parcels of land.
- M. PROFESSIONAL ENGINEER. A professional engineer licensed by the Oregon State Board of Engineering Examiners.
- N. PUBLIC ROAD. A Public Road, as defined in ORS 368.001(5), within Tillamook County outside of incorporated cities; and a County Road, as defined in ORS 368.001(1), within an incorporated city.
- O. RATIONAL FORMULA. Also known as the RATIONAL METHOD. Commonly used equation for the calculation of peak flow from small drainage areas. This formula is discussed in detail in Chapter 2 of the Oregon Department of Transportation Hydraulics Manual.
- P. RIGHT-OF-WAY. A legally described portion or strip of land, either public or private, which is condemned, reserved or dedicated for roads.

- Q. ROAD. The entire width between the boundary lines of a right-of-way or an easement, intended for traffic and/or the placement of utilities. ROAD includes "street," "highway," "lane," "alley," "place," "way," "avenue" or other such similar designations. The definition of road does not include a driveway providing access within a single parcel.
- R. ROAD APPROACH. An area, construction or improvement between the roadway and the road right-of-way line used for access to adjacent property.
- S. ROADWAY. The portion or portions of a street right-of-way or easement which is developed for vehicular traffic.
- T. SIDEWALK. A pedestrian walkway with surfacing suitable for pedestrian or bicycle traffic.
- U. STANDARD SPECIFICATIONS. Standard Specifications for Highway Construction. This manual is published by Oregon Department of Transportation. The most current version of this manual represents standard specifications for highway construction referenced in public contracts.

---- Source References ----

- V. AASHTO Manual. A Policy on Geometric Design of Highways and Streets. This book is published by the American Association of State and Transportation Officials (AASHTO). The current edition of this book outlines design standards for roads in the County.
- W. COUNTY ROAD ACCEPTANCE ORDINANCE. This ordinance establishes standards that roads must meet to be accepted into the County Road Maintenance System. The ordinance is administered by the Tillamook County Public Works Department.
- X. LAND DIVISION ORDINANCE (LDO). This ordinance outlines the requirements for land divisions and creation of private and public roads within County jurisdiction. The ordinance is administered by the Tillamook County Department of Community Development with input from Public Works.
- Y. Manual on Uniform Traffic Control Devices (MUTCD). Current Edition. This is the standard for signing and striping.
- Z. REGULATIONS FOR UTILITIES IN TILLAMOOK COUNTY PUBLIC ROAD RIGHTS-OF-WAY. This ordinance establishes the rules and permit procedures for installing, maintaining, repairing, operating utilities and other miscellaneous operations and facilities in Tillamook County public road right of ways. The ordinance is administered by the Tillamook County Public Works Department.

AA. ROAD APPROACH ORDINANCE. This ordinance outlines the requirements for changes in existing road approaches or new approaches onto public roads. Completion of a road improvement project in accordance with the Public Road Improvement Ordinance does not preclude requirements of the Road Approach Ordinance. The ordinance is administered by the Tillamook County Public Works Department.

SECTION III. WHEN PERMIT IS REQUIRED

- A. A Road improvement permit is required for all construction in public right of ways, except for:
1. Part of improvements covered by the Road Approach Ordinance.
 2. In conjunction with off-site road improvements requirements as per the Land Division Ordinance.
 3. Part of structure or operation covered by Regulations for Utilities in Tillamook County Public Road Rights-of-Way.
 4. Part of a road Local Improvement District

SECTION IV. APPLICATION FOR PERMIT

- A. The application for a permit shall include the following:
1. Completed application form signed by the party responsible for the proposed road improvement construction;
 2. Concept plan including the following:
 - a. scaled sketch of the project proposal;
 - b. road cross section;
 - c. tentative proposed locations of utilities;
 - d. extent of disturbance to the existing land;
 - e. proposal of the drainage plan to an existing or natural drainage course; and
 - f. signatures of each abutting property owner who concurs with the concept plan.
 3. To determine viability of later Construction Plan approval, the Director may require evidence of engineering feasibility. This may include documentation signed by a licensed Professional Engineer specially qualified in civil engineering.
 4. A Public Road Improvement Application Review Fee in accordance with Section X.

SECTION V. INITIAL STAFF REVIEW

- A. Before the County approves the permit application, the Director shall establish that the proposed construction is in conformance with the standards of this ordinance.
- B. As part of the initial staff review, the Director shall determine if the concerns of associated utility companies, public agencies and abutting or affected property owners are addressed in the concept plan.
- C. The Director shall have the authority to establish a fee schedule to cover Department staff time spent reviewing design proposals prior to an application submission with regular fees.
- D. If the permit application appears to be in conformance with standards of this ordinance with the information currently available, the Director will designate it as a Preliminary Concept Plan Approval.

SECTION VI. CONCEPT PLAN APPROVAL

A. CONCEPT PLAN APPROVAL BY THE DIRECTOR

- 1. The Director shall have the authority to make a final approval of a Concept Plan submission and proceed to Construction Plan review if one or more of the following conditions is/are met:
 - a. If the existing road base is determined adequate for the proposed improvements,

OR
 - b. If the proposed improvement is less than 100 ft long and the application includes 100% of the abutting owners,

OR
 - c. The application includes 100% of the abutting property owners AND the Director determines that the concerns of affected parties outlined in Section V.B. are met.
- 2. If at least one of the conditions in Paragraph a. or b. above are met, the Expedited Application Fee in Section X. shall apply.

3. If Preliminary Concept Plan Approval does not meet any of the conditions of the above Paragraph 1., the Concept Plan shall be considered for approval by the Board in accordance with the process outlined in the next sub-Section.
4. Notice of final approval of Concept Plan by the Director shall be mailed to abutting property owners along the proposed improvement.
5. Notice of final approval of Concept Plan by the Director is not required if there was a previous public hearing process that addressed details of the Concept Plan. The decision to mail Notices in this situation is at the discretion of the Director.

B. CONCEPT PLAN APPROVAL BY THE BOARD

1. Report. The Department shall prepare a report for the Board to be included with the concept plan for the Board's consideration at a Public Hearing. The report shall include a recommendation with the information currently available of whether the Concept Plan should be approved or not.
2. Notice Process.
 - a. The Department shall prepare a Notice of Public Hearing signed by the Director.
 - b. The following parties will be notified of a scheduled Public Hearing before the Board:
 - 1) Owners of properties abutting the proposed construction; and
 - 2) Associated utility companies and/or regulatory agencies; and
 - 3) Other potentially impacted parties, as designated by the Director.
 - c. Notice of Public Hearing shall be mailed to the above parties and shall be published in a newspaper of general circulation in the county at least ten days prior to the date of the Board Hearing to review the Concept Plan.

3. Public Hearing.

- a. The Board shall conduct a Public Hearing to determine if the Public Works recommendation in their report shall be approved and final construction plans completed in accordance with Public Works standards.
- b. The intent is for utility companies to be notified and have input. Intent of any approval by the County as part of this ordinance is not to guarantee construction of respective utilities.

C. ADDITIONAL DETAILS.

Following a concept plan approval by the Board or the Director, the applicant may be required to provide additional details to the concept plan in order to receive final construction plans approval from Public Works.

SECTION VII. CONSTRUCTION PLANS APPROVAL

- A. After concept plan final approval, the applicant shall obtain construction plans approval from the Department. Construction plans shall meet the following minimum requirements:
 1. Contain details of the Concept Plan outlined in Section IV of this ordinance.
 2. The plan shall be reviewed/approved by a licensed Professional Engineer specially qualified in civil engineering indicated by the signature of the same person. The Director may waive or modify this certification requirement based on the level and type of improvements proposed.
 3. Be in accordance with the Section XI of this ordinance (Standards) and construction plans requirements of the Department.
 4. Any permit requirements of other agencies shall be part of the construction plans approval as conditions of approval. Public agencies that may have additional requirements include, but are not limited to, Oregon Division of State Lands (DSL), Department of Community Development and local fire department. County approval of construction plans does not relieve the applicant of requirements of any other agency or department.
 5. As part of the construction plans approval, the Department reserves the right of requiring engineer

certification of construction. Examples requiring engineering certification include, but are not limited to, retaining walls and compaction testing.

6. Final construction plans approval shall include phase inspection requirements by the Department.

SECTION VIII. APPROVAL OF PERMIT

Prior to final Approval of Permit, the applicant shall provide assurance of road improvement completion as provided in this Section and pay a Construction Inspection Fee to the Department.

A. Improvement Agreement.

1. The developer shall execute and file with the County an agreement between himself and the County, specifying the period in which the required improvements and repairs shall be completed. Such agreement shall provide that if the work is not completed within the specified period, the County may complete or contract to complete the work and recover the full cost and expense thereof from the developer. The agreement may provide for the construction of the improvements in units and for an extension of time under specified conditions.
2. The developer shall file with the agreement, to assure his full and faithful performance thereof, one of the following:
 - a. A surety bond executed by a surety company authorized to transact business in the State of Oregon in a form approved by County Counsel.
 - b. In lieu of said bonds, the developer may elect either of the following alternatives:
 - 1) A Time Certificate of Deposit naming Tillamook County as beneficiary, placed on file with Tillamook County by the developer.
 - 2) Written Certification by a bank or other reputable lending institution that money is being held to cover the cost of improvements and incidental expenses and that an amount approved by the Director will not be released until written authorization is received from the Director.
3. All such Bonds, Deposits, Certificates, and agreements shall be for an amount deemed sufficient by the

Director to cover the cost of said improvements, incidental expenses, the replacement and repair of existing improvements and shall be at least one hundred and ten percent (110%) of the cost of required improvements to be done.

4. If the developer fails to carry out the provisions of the agreement and the County has unreimbursed costs or expenses resulting from such failure, the County shall call on the bond or deposit for reimbursement. If the amount deposited exceeds the cost and expense incurred by the County, the County shall release the remainder. If the amount deposited is less than the cost expense incurred by the County, the developer shall be liable to the County for the difference.
 5. The Director shall have the authority to halt construction if any permit conditions are being violated. The Director shall have the authority to determine and direct steps to return such halted construction project to substantially the same conditions as prior to start of work. This authority may include drawing on the surety or Assignment of Funds for the County to collect for appropriate expenses incurred.
 6. The Director shall have the authority to waive the Improvement Agreement process if proposed improvements, in the judgement of the Director, are:
 - a. minor in nature, and
 - b. lack of completion of proposed improvements do not pose a threat to existing roadways, private property and/or drainage courses.
- B. Completion Date.
1. The maximum final completion date for all work to be completed shall be eighteen (18) months from the date the permit is issued.
 2. One time extension of the final completion date, not to exceed six (6) months may be granted by the Director.
 3. If no construction work for the project has been initiated, as determined by the Director, by the completion date in accordance with the Improvement Agreement, the Director may cancel the permit, release the agreement, release the respective surety and refund the Construction Inspection Fee.

4. Failure of the applicant to execute and file the improvement agreement within 12 months of the concept plan approval shall make the concept plan and construction plans approvals null and void.
5. If construction of all work required in the approved permit has not been completed by the final completion date, the permit shall be null and void and the road improvements shall be a violation of this ordinance.
6. Required "improvements" and "repairs" in Paragraph A.1. of this Section are defined as those indicated in the approved construction plans. They specifically include only improvements in the public right of way related to the roadway, drainage, erosion control, revegetation and stabilization. Repairs within the right of way may include those actions necessary to correct damage as a result of improvements or construction activities.

C. Construction Inspection Fee.

Prior to final Permit Approval, the applicant shall pay a Construction Inspection Fee to cover Department inspection time related to the project construction. The Construction Inspection Fee shall be in accordance with Section X.

D. Issuance of Permit.

1. An Approval of Permit shall be in writing by the Department. The approval of the permit authorizes the applicant to proceed with road construction in accordance with conditions of approval and this ordinance. The final Department Approval of Permit shall have the following requirements incorporated by reference:
 - a. Construction Plans conditions of approval
 - b. Improvement Agreement approved by the Board, unless waived in accordance with Section VIII.A.6.
2. The Permit will not be issued until after the Permit appeal period, if applicable.

E. Construction Phase

1. Work shall not commence until the Department has been notified in advance, improvement plans have been reviewed for adequacy and approved by the Department and an improvement agreement with the County has been approved by the County.

2. Required improvements shall be inspected by and constructed to the satisfaction of the Department. The Public Works Department may require changes in typical sections or details if unusual conditions arising during construction warrant such changes.
3. All improvements to be placed beneath streets by the developer shall be constructed and inspected prior to street surfacing. Stubs for service connections to underground improvements shall be placed so as to avoid the need to disturb paved surfaces when service connections are made.
4. A map showing the as-built location and the nature of public improvements shall be filed with the Public Works Department upon completion of installation.

SECTION IX. APPEAL OF CONCEPT PLAN

- A. If the Concept Plan was approved by the Board, there is no further appeal allowed of the Concept Approval or permit conditions.
- B. A person may appeal to the Board the Concept Plan approval or denial by the Director. Written notice of the appeal along with appeal fee must be filed with the Board's secretary within 10 days following the date of the letter confirming the Director's approval or denial.
- C. If an appeal is not filed within the 10 day appeal time frame, the approval or denial of the Concept Plan is final.
- D. The appeal shall be submitted to the Board of Commissioners and include the following:
 1. an explanation of why the applicant believes the Director's actions are not appropriate;
 2. the applicant's proposed conditions for the Public Road Improvement Permit; and
 3. a Board Appeal Fee. The Appeal Fee shall be in accordance with Section X.

SECTION X. FEES

A. Public Road Improvement Review Fee

The following fees shall be part of the Review Fee:

1. Base fee of \$590.00; and
2. \$0.60 (60 cents) for each linear foot of proposed road improvement; and

3. If the application includes signatures of 100% of the abutting property owners indicating concurrence with the proposed construction, \$185.00 shall be deducted from the Review Fee collected above.

B. Expedited Application Fee

If the proposed road improvement application meets conditions of Section VI.A.2., the above fees shall be waived and replaced by a single Expedited Application Fee of \$145.00.

C. Waiver of Road Approach Fees

If one or more Road Approach applications are to be submitted at the same time and in conjunction with an Application, fees of the respective Road Approach application(s) shall be waived. All other requirements and standards of the Road Approach Ordinance shall remain in effect.

D. Construction Inspection Fee

Prior to construction plan approval, the Department shall collect a Construction Inspection Fee consisting of:

1. Base fee of \$360.00; and
2. \$0.45 for each linear foot of proposed road improvement.

E. Construction Inspection Fee Partial Deduction

If an Improvement Agreement is not required in accordance with Section VIII.A, \$95.00 shall be deducted from the Construction Inspection Fee collected in the previous paragraph.

F. Appeal Fee

If an appeal of Concept Plan approval is filed in accordance with Section IX., the Appeal Fee shall be \$125.

G. Subject to Change

The above fees are subject to change to any other rate(s) as set by order of the Board.

H. Additional Review Fees

If the County determines that the terms or conditions of any other permits issued by the County have to be reviewed as the result of an appeal, the applicant will be required to pay review fees for those other permits.

I. Refunds

Fees collected shall be considered non-refundable. The Director shall have discretion in determining if significant or substantial staff work associated with respective fees has been initiated. The Director may refund the balance of such fee representing non-executed staff work. An administrative charge of \$25 shall be required for processing a refund and deducted from any refund made.

SECTION XI. STANDARDS

A. Road Improvement Standard Roadway Section. The Standard Roadway Section found in Exhibit "A" is the basic County standard for road improvements in existing underdeveloped public right of ways. The following notes apply:

1. Average Daily Traffic (ADT) for design is to be determined based on anticipated future usage of the roadway based on the maximum density allowed by the zoning. For residential developments the ADT is assumed to be 10 vehicles per day per residence.
2. Additional improvement requirements shall be in conformance with AASHTO manual.
3. "Traveled way" shall be paved.
4. Left Turn Pockets and Right Turn Tapers may be required based on traffic warrants.

B. Minimum Roadway Section. The typical road section found in Exhibit "B" is the minimum improvement requirement. This minimum typical road section applies to road improvements when the future use of the improved portion of road will serve 1, 2, 3 or 4 lots. Any proposed road improvement greater than 12% grade shall require asphalt pavement. Any additional fire department requirements shall take precedence over Public Works requirements.

C. Materials Specifications.

1. **AGGREGATE BASE.** All roads must be constructed with an aggregate base according to the following details: Rock base may be fractured pit run or crushed aggregate. Maximum rock size shall be 4". No more than 10% shall be less than 1". Compaction of the aggregate base shall be done with either a vibratory roller or a static steel wheel roller with a minimum gross weight of 8 tons. The aggregate sub-base shall be laid in accordance with the Standard Roadway Section incorporated in this Ordinance as Exhibits "A" or "B" as appropriate.
2. **AGGREGATE LEVELING COURSE.** All roads must be constructed with an aggregate leveling course according to the following details: Leveling course shall be 3/4"-0 Base Aggregate and shall conform to the requirements of subsection 2630.10 of the Standard Specifications. Compaction of the aggregate base shall be done with either a vibratory roller or a static steel wheel roller with a minimum gross weight of 8 tons. The aggregate leveling course shall be laid in accordance with the Standard Roadway Section incorporated in this Ordinance as Exhibits "A" or "B" as appropriate.
3. **ASPHALT PAVEMENT.** All roads to be accepted as county roads must be paved with asphalt pavement. Asphalt paving shall be in accordance with the following details:
 - a. The Asphalt Concrete (AC) Mixture for this project shall be "Light Duty AC", Class 'C' Mix. The mix formulation and placement methods shall conform to Section 00745 of the Standard Specifications, except as follows: The Asphalt Cement shall be PBA-5 grade asphalt and shall conform to the requirements of Section 02710 of the Standard Specifications.
 - b. The final lift shall consist of three (3) inches compacted of Class 'C' Asphalt Concrete sloped to maintain a 2% crown from the road centerline. This lift shall be placed using an asphalt concrete paving machine and rolled to achieve optimum density.
 - c. The asphalt pavement shall also conform to the drawing entitled Standard Roadway Section incorporated in this Ordinance as Exhibits "A" or "B" as appropriate.

- D. Signing. In accordance with County standards and MUTCD, the applicant shall provide appropriate traffic controls measures and signing for the road improvements.
- E. Drainage. Construction plans shall include details to address and to insure the continued functioning of the existing drainage system in the area of the proposed construction and areas impacted by the increase or change in drainage flow due to the anticipated construction. Construction plans shall include the route of increased drainage flow to a natural drainage course. Unless otherwise approved in writing by the county engineer, all roadway ditches, culverts and other storm drainage systems shall be designed in conformance with the "Rational Formula."
- F. Provisions for roadway widening. The approved road design shall allow for possible future widening or improvement of the road as required by the County.
- G. Road approach construction as part of road improvement plans. If the applicant is proposing to construct road approaches as part of the road improvements, the respective approaches shall be shown on the road improvement plans.
1. Road approaches shall be constructed to the standards of the County Road Approach Ordinance.
 2. Prior to Board consideration of an improvement agreement for the road improvements, road approach applications for each proposed approach shall be submitted to Public Works.
- Subject to conditions of the Road Approach Ordinance, respective Road Approach Permits shall be issued by Public Works. For these respective approaches, Road Approach application fees will be waived.
- H. Future land division. Approval of a road construction plan does not guarantee that the improvements will meet road requirements of any future land division along or accessing the road improvement. Nor does it guarantee ability to further partition or subdivide off of this right of way.
- I. Utility facilities. Unless the County is a direct party in the improvements of the road, relocation of existing utilities in the right of way is at applicant's expense.
- J. Acceptance as County Maintained Road. Only roadways improved to the standards outlined in the County Road Acceptance Ordinance will be considered for acceptance as County Maintained Roads.

- K. City limits and urban growth boundaries (UGB). Improvements of County right of ways within city limits or UGBs shall meet any additional requirements of the respective city.
- L. Additional Standards. The Director shall be authorized to develop and enforce additional standards beyond those specifically addressed in this ordinance to implement this ordinance.

SECTION XII. VARIANCE FROM STANDARDS

- A. The Director may require additional improvements if, in the Director's judgement, the additional improvements are necessary to protect the public safety.
- B. The Director may grant variances from the standards of this ordinance provided all of the following conditions are met:
 - 1. A variance is required due to peculiar physical conditions at this proposed location or due to special needs required by the nature of the business or operation.
 - 2. A variance would not compromise public safety or convenience.
 - 3. The granting of the variance will not adversely impact the rights of the abutting property owners.
 - 4. The standards of this ordinance would cause unnecessary hardship upon the applicant.
 - 5. Application of standards and provisions of this ordinance exceeds a proportional cost to the applicant as compared to the length of the road. However, minimum standards of Section XI will always apply.

SECTION XIII. SAVINGS CLAUSE

If any section or part thereof of this ordinance shall be held illegal, unconstitutional, or void, this shall not be construed to render void any other provision or requirement of this ordinance.

SECTION XIV. ENFORCEMENT

- A. The applicant is in violation of this ordinance for any failure to comply with any of the provisions of this ordinance.

- B. A contractor is in violation of this ordinance for any activities performed by the contractor which are not in compliance with the provisions of this ordinance.
- C. This ordinance may be enforced in any manner authorized by state or local law, including ORS Chapters 368 and 374, and Tillamook County Ordinance No. 35, the Tillamook County Citation Ordinance.

SECTION XV. ADOPTION

DATE of First Reading: May 21, 1999.

DATE of Second Reading: June 9, 1999.

ADOPTED this 21 day of July 19 99.

ATTEST: Josephine Veltri
County Clerk

BY: Mary Wuyack
Special Deputy

APPROVED AS TO FORM:

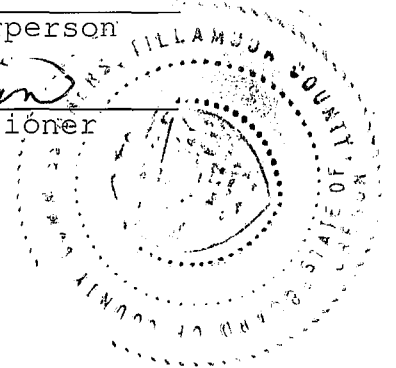
William K. Sargent
County Counsel

BOARD OF COUNTY COMMISSIONERS FOR
TILLAMOOK COUNTY, OREGON

Sue Cameron
Sue Cameron, Chairperson

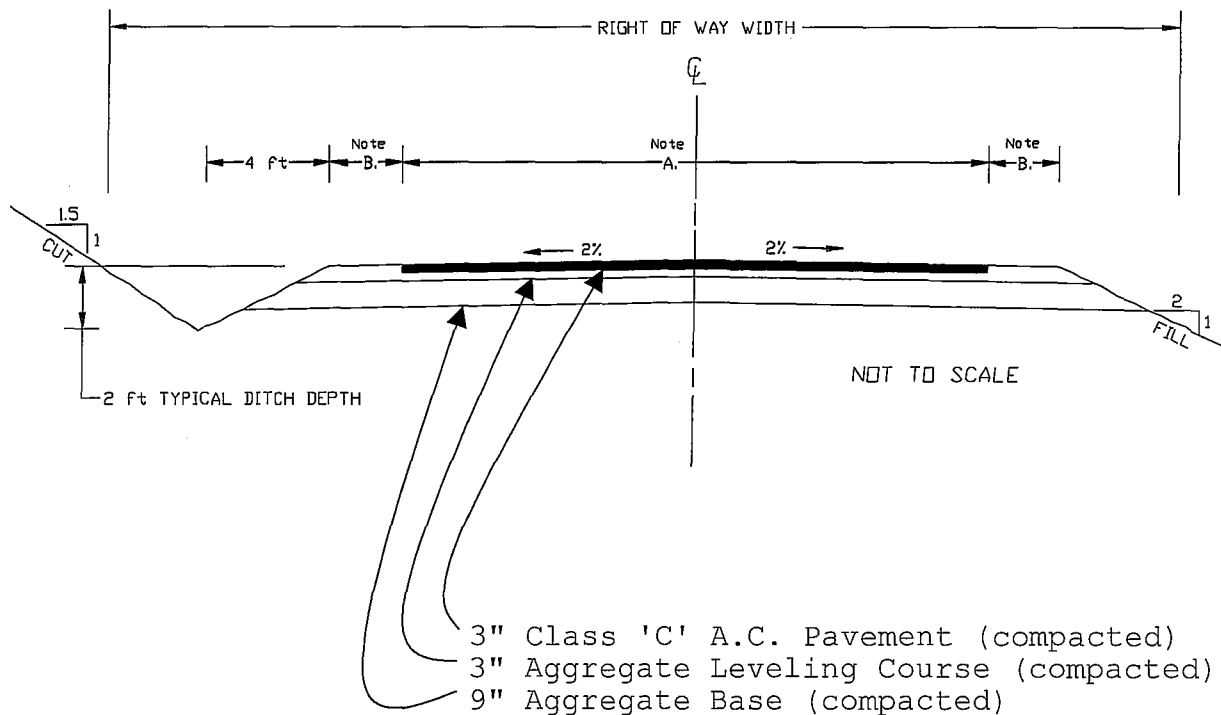
Tim Josi
Tim Josi, Vice-Chairperson

Gina Firman
Gina Firman, Commissioner



TILLAMOOK COUNTY ROAD IMPROVEMENT ORDINANCE

STANDARD ROADWAY SECTION

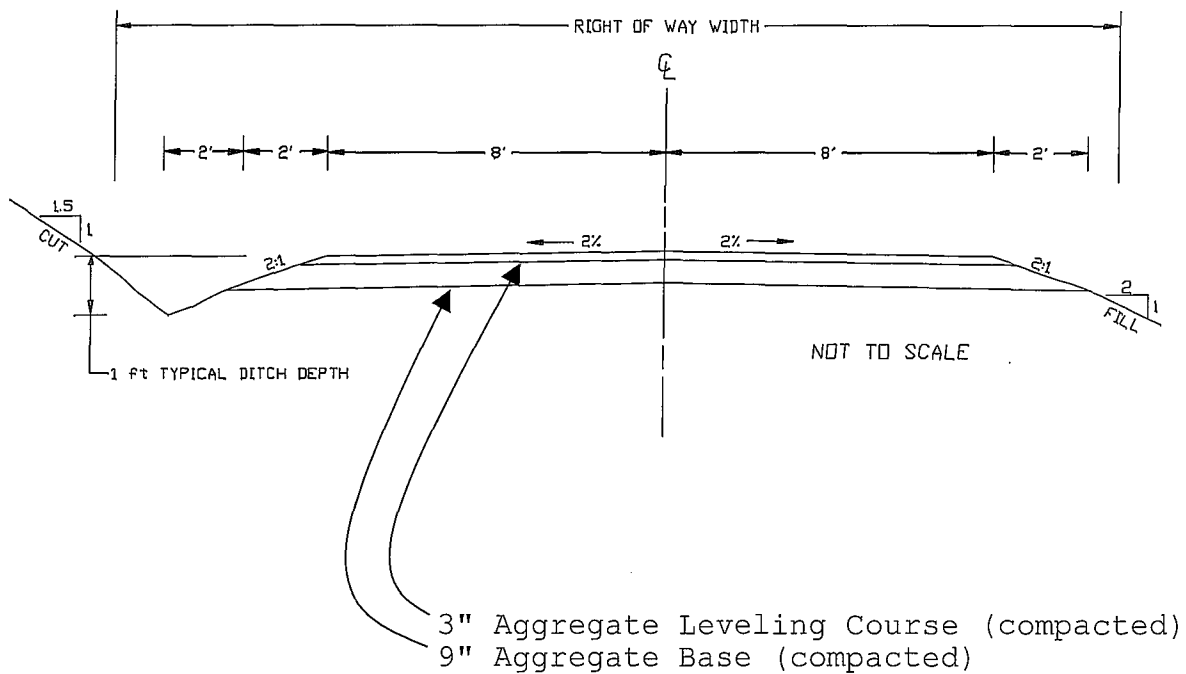


Notes:

- A. Width of traveled way in accordance with AASHTO Manual centered in the right of way.
- B. Width of shoulders in accordance with AASHTO Manual.
- C. Build up shoulders to match pavement level & slope using aggregate leveling course.
- D. Aggregate and asphalt specifications in accordance with Materials Specifications as outlined in Section XI.
- E. The County Engineer may require a higher standard. See Section XII of the Ordinance for details. Additional improvement requirements shall be in conformance with AASHTO manual.
- F. Left Turn Pockets and Right Turn Tapers may be required based on traffic warrants.

TILLAMOOK COUNTY ROAD IMPROVEMENT ORDINANCE

MINIMUM ROADWAY SECTION



Notes:

- A. This minimum roadway section applies in accordance with Sections XI and XII of the Ordinance.
- B. Width of traveled way centered in the right of way.
- C. Aggregate and asphalt specifications in accordance with Materials Specifications as outlined in Section XI.