

RESOLUTION NO. 22-12

A RESOLUTION TO ALLOW STONE WALLS AS A REVOCABLE PERMANENT RIGHT-OF-WAY OBSTRUCTION AT 508 4TH AVENUE (TAX LOT 3-1E-01AA-02200), OREGON CITY, CLACKAMAS COUNTY, OREGON

WHEREAS, a stone wall was constructed in the right-of-way for soil stability; and

WHEREAS, the property owner seeks a Public Works permanent obstruction permit for obstruction in the right-of-way for the wall; and

WHEREAS, the property owner has met the requirements for a permanent obstruction permit; and

WHEREAS, Public Works has determined that the proposed walls will not interfere with any other uses of the right-of-way; and

WHEREAS, the Oregon City Municipal Code 12.04.120 requires that permanent obstructions in a public right-of-way be approved by the City Commission by passage of a resolution; and

WHEREAS, following passage of this resolution, Oregon City Public Works will issue a "Revocable Permanent Right-of-Way Obstruction Permit" which shall include a recorded covenant for maintenance of and release of liability for the walls.

NOW, THEREFORE, OREGON CITY RESOLVES:

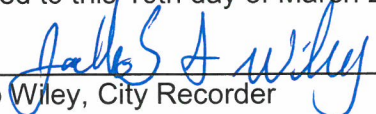
Section 1. Authorize the City Engineer to issue a Revocable Permanent Right-of-Way Obstruction permit, RWOBS-21-00017 for 508 4th Avenue for the wall in the right-of-way adjacent to the property.

Section 2. Approval of Resolution No. 22-12, which will take effect immediately upon its adoption.

Approved and adopted at a regular meeting of the City Commission held on the 16th day of March 2022.


RACHEL LYLES SMITH, Mayor

Attested to this 16th day of March 2022:


Jakob Wiley, City Recorder

Approved as to legal sufficiency:

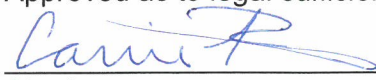

City Attorney

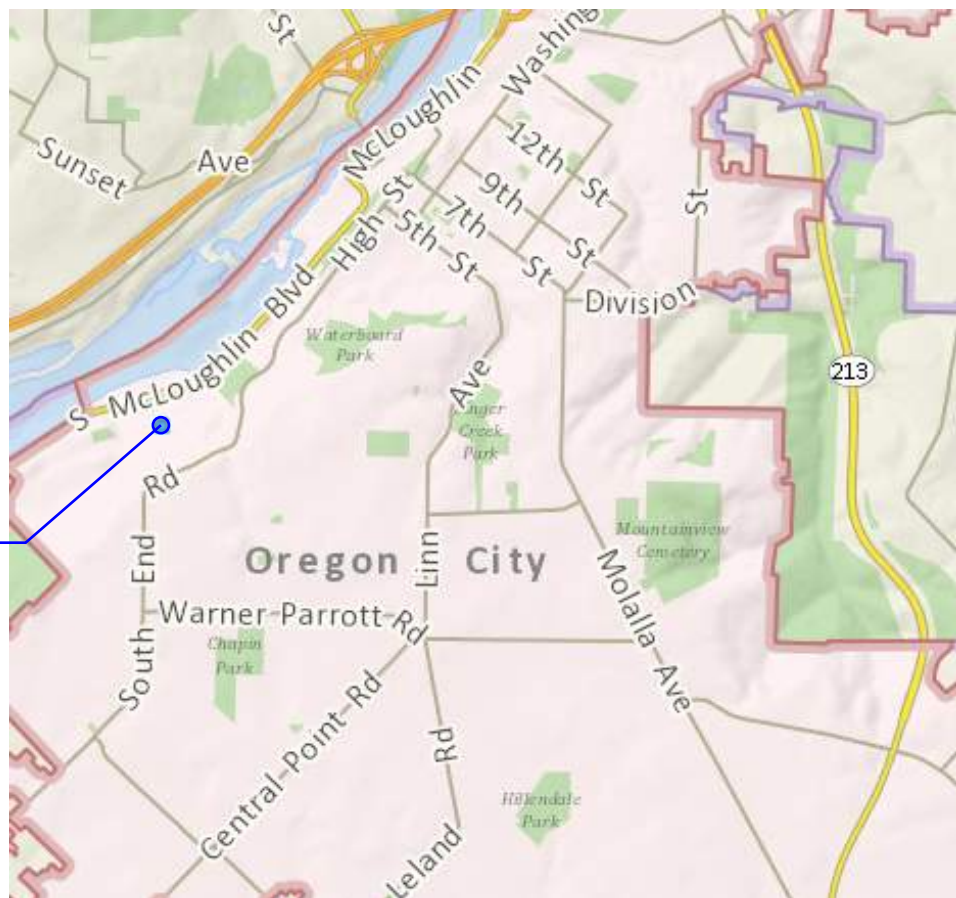
EXHIBIT A - Site Map & Pictures

Stone wall is approximately 42' in length, within 12' of the ROW and is up to 3.5' tall.

Aerial photography is not overlaid to be relative of the true location of the property line. Location of wall has been depicted relative to aerial photography and not the location of the property lines.



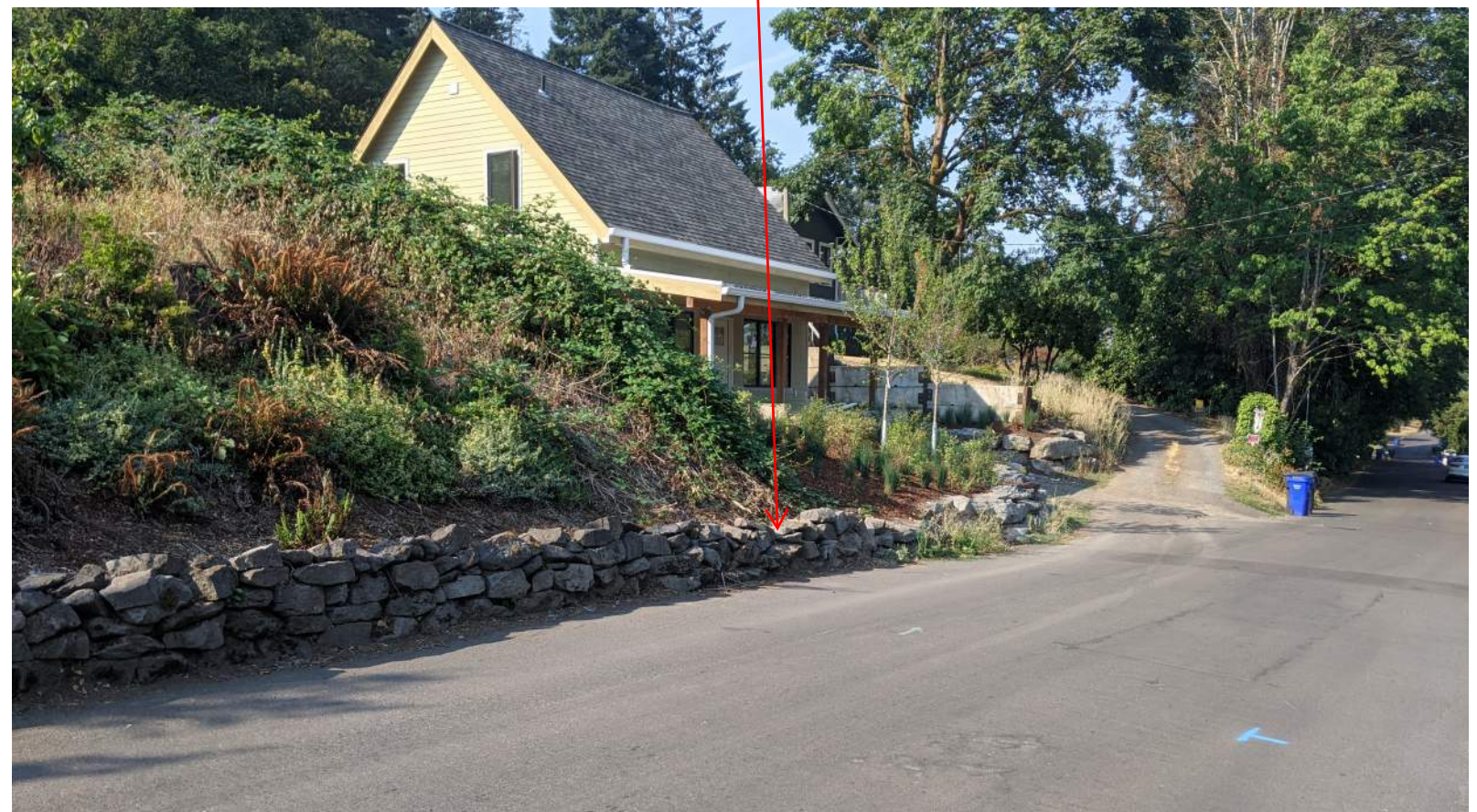
508 4th Ave



BEFORE



AFTER



BEFORE



AFTER



BEFORE



AFTER





OREGON CITY

Public Works

625 Center Street | PO Box 3040 | Oregon City OR 97045
Ph (503) 657-0891 | Fax (503) 657-7892

RIGHT-OF-WAY PERMIT APPLICATION

Application Date: June 30, 2021

Work Site Information ALL FIELDS REQUIRED ON THIS FORM

Address: 508 4th Ave Oregon City Cross Street: Miller St.

Applicant Responsible for Project (Permittee) Primary Contact

Business Name / Property Owner: Canemah Cottages LLC

Contact Name: Chris Staggs E-Mail: chris@ariatouch.com

Mailing Address: 502 Main Street City, State & Zip: Oregon City, OR 97045

Phone: (503) 387-5545 Alt. Phone: (951) 236-9628

Contractor Same as above Responsible for Project (Permittee) Primary Contact

Business Name: Aria Touch, LLC Contact Name: Chris Staggs

Mailing Address: 502 Main St Phone: (951) 236-9628

City, State & Zip: Oregon City, OR 97045 E-Mail: chris@ariatouch.com

Oregon City Business License No. (or Metro Contractor's License No.): License or CCB Number(s): 220194

Work Details

Proposed Start Date: work completed Estimated Completion Date:

DESCRIPTION OF WORK TO BE DONE IN RIGHT-OF-WAY PER THIS PERMIT (check all boxes that apply):

UTILITY WORK:	<input type="checkbox"/> Sanitary Sewer	<input type="checkbox"/> Stormwater	<input type="checkbox"/> Pavement / Trench Cut
	<input type="checkbox"/> Electrical	<input type="checkbox"/> Water	<input type="checkbox"/> Other - Describe:
SIDEWALK WORK:	<input type="checkbox"/> New	<input type="checkbox"/> Repair / Replace	<input type="checkbox"/> Curb and/or Gutter Work
	Length (ft):	Width (ft):	# of Panels (estimate):
DRIVEWAY WORK:	<input type="checkbox"/> New	<input type="checkbox"/> Repair / Replace	Width (ft):
MATERIAL STORAGE:	<input type="checkbox"/> Drop Box	<input type="checkbox"/> Storage Pod	<input type="checkbox"/> Other - Describe:
LANDSCAPING WORK:	<input type="checkbox"/> Tree Removal	<input type="checkbox"/> Tree Installation	<input checked="" type="checkbox"/> Other - Describe: Natural stone landscape
DOWNTOWN PARKING:	# Spaces:	No. of Days:	Location:

EVENT*: Event Name: General location / route:

Provide paragraph description of event or work to be done: less than 24" rockery wall. balance of work, including grading and landscape material is built according to existing ROW permit. Stone wall added for soil stability. Wall is a benefit to the public and will not obstruct vehicular or pedestrian traffic.

*Application for Special Event will be required simultaneously.

Permission is hereby requested to encroach into public right-of-way to perform work as set forth below. It is understood that this application is limited to the work described herein and that all work shall be done in compliance with the provisions shown on the back of this application and with all other applicable rules, regulations and standards of the City; and that the permittee assumes full responsibility for said compliance, for acceptability of the work, for repair or replacement thereof if defective, and for repair or replacement of any existing improvement damaged by this work.

SEE THE BACK (PAGE 2) OF THIS PERMIT FOR CONDITIONS AND PROVISIONS

I CERTIFY THE ABOVE INFORMATION IS CORRECT

Applicant's Signature:

OFFICE USE ONLY

- Provide a traffic control plan to the City for review and approval.
- Coordinate work with all applicable utility companies.
- Barricade and sign sidewalks & parking spaces in advance of their use.
- Tree removal / replacement per City Planning Dept approval process.
- Contact the city inspector at 971-276-1751 for pre and post inspections, questions and/or pre-pour and final concrete inspections.

Related City permits:

Expiration Date: 60 DAYS 90 DAYS Other Permit No.:

Standard Details: OC 504 OC 508 OC 310 OC 402 OC 313 OC 532 Other

Issued by: Date:

THIS PERMIT NUMBER RWOBS-21-00017 IS ISSUED AND ACCEPTED SUBJECT TO THE FOLLOWING PROVISIONS:

1. Permittee agrees to save, keep and hold harmless the City of Oregon City, its officers, agents and employees from all damages, costs or expenses in law or equity that may at any time arise or be set up because of damage to property, or of personal injury received by reason of or in the course of performing work authorized by this permit which may be occasioned by any act or omission of the permittee, his agents or employees. The City will not be liable for any accident, loss or damage to the work prior to its completion and acceptance.
2. Permit is void 60 days after date of issue unless otherwise noted. A time extension shall be requested not less than 24 hours prior to expiration.
3. Concrete curb, sidewalk, gutters, driveway approaches, alley entrances, paving repairs, etc. shall be constructed per City Standards (<https://www.orcity.org/publicworks/design-and-construction-standardsdrawings>).
4. A copy of this permit shall be kept at the work site.
5. Work authorized by this permit includes removal and replacement of improvements as necessary.
6. Oregon law requires that the rules adopted by Oregon Utility Notification Center be followed. Those rules are set forth in OAR 952-001-0010 to 0090. You may obtain copies of the rules by calling the center or online at www.callbeforeyoudig.org. Call before you dig – Portland Metro Area **811** or **800-332-2344**.
7. Permittee shall adequately safeguard all excavations and obstructions with barricades, lights and/or other suitable safety devices per the current "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" (mutcd.fhwa.dot.gov/), Federal Highway Administration and follow all OSHA rules and regulations. If the permittee fails to adequately safeguard the public, the City shall place barricades and lights at the expense of the permittee. Placement of safety devices by the City shall not relieve the permittee from liability.
8. Permittee shall coordinate **24 hours in advance of any street closure** with **Oregon City Code Enforcement at 503-496-1559** and **Oregon City Public Works at 503-657-0891** for each day any street is to be closed.
9. Fire Department access to fire hydrants shall be maintained at all times.
10. Permittee shall be responsible for preserving construction survey stakes and markers for the duration of their usefulness.
11. Construction water shall not be taken from a fire hydrant until a fire hydrant permit has been obtained from the Public Works Operations Center, 122 S. Center Street, 503-657-8241.
12. A minimum of **72 hours' advance notice** must be given for inspection requests (exclusive of Saturdays, Sundays and holidays).
13. Forms and subgrade must be inspected and approved before ordering Portland Cement Concrete or Asphaltic Concrete. Failure to obtain approval before proceeding with work may be cause for rejection. Any work to be done on a Saturday or holiday **MUST** be approved by the City at least 24 hours in advance.
14. Any work done without proper inspections will be subject to rejection. Permittee shall request inspections when: (1) forms are complete / ready for concrete; (2) subgrade is compacted and ready for pavement or concrete; (3) excavation is started; (4) sewers are ready for testing; (5) backfill compaction is in progress; (6) temporary resurfacing has been placed; (7) all work authorized by this permit has been completed; and (8) any time assistance is needed to assure compliance with City requirements. Reinspections required due to site or work not being ready for inspection when scheduled or for the replacement of defective work, shall be done at the expense of the permittee.
15. Asphalt pavement, including resurfacing, shall be constructed of Level 2, 1/2-inch dense HMAC ODOT asphalt concrete for the roadway.
16. Curbs with depressions for vehicular access will not be accepted until a standard driveway approach has been constructed at each depression. Where none exists, a sidewalk adjoining such driveway approaches shall be constructed.
17. Final approval of any work will not be given until construction debris and excess material is removed and parkways are graded to conform to the standard street section and planted as appropriate to match existing.
18. Failure to secure permits for previous work or failure to pay fees due on previous permits shall render the applicant, permittee or employees ineligible for any other City permit until such fees and penalties are paid.
19. Any applicant or contractor who has done work in public rights-of-way not in conformance with City Standard Specifications, Standard Drawings or Special Provisions, or who violates the City Code shall be ineligible to do work in public rights-of-way until such deficiency has been corrected to the satisfaction of the City Engineer.
20. Construction hours: Monday-Friday 7 a.m. to 6 p.m., Saturdays 9 a.m. to 6 p.m. **NO** work shall be done on Sundays or holidays.
21. Contractors shall have an Oregon City Business License and/or a Metro Contractor's License and required contractors' licenses.
22. Permittee shall remain responsible for satisfactory workmanship and material for two years after acceptance of improvements authorized by this permit.

I AGREE TO COMPLY WITH THE PERMIT AND ALL ABOVE REFERENCED CONDITIONS

Applicant's Signature:	Date:
Applicant's Printed Name:	Title / Organization: