

**Chapter 12.24**

**RIGHTS-OF-WAY**

**Sections:**

- 12.24.010**     **Definitions.**
- 12.24.020**     **Jurisdiction.**
- 12.24.030**     **Scope of regulatory control.**
- 12.24.040**     **City permission requirement.**
- 12.24.050**     **Obligations of the city.**

city has jurisdiction and regulatory control over each right-of-way whether the legal interest in the right-of-way was obtained by grant, dedication, prescription, reservation, condemnation, annexation, foreclosure or other means. (Ord. 97-06 § 3, 1997)

**12.24.040     City permission requirement.**

A. No person may occupy or encroach on a public right-of-way without the permission of the City. The City grants permission to use rights-of-way by franchises, licenses and permits. (Ord. 97-06 § 4, 1997)

B. It shall be the duty of an owner, or person in charge of property that abuts a public right-of-way to maintain vegetation and trees so as not to create a hazard and to contact the city administrator to obtain permission and follow the City’s instructions prior to trimming or removal of any tree in the right-of-way adjacent to that property. Any person who, by any means, causes or aids in the removal of trees from City property and/or City rights-of-way without first obtaining permission from the City of Port Orford, is guilty of a violation of this chapter. (Ord. 2006-03 § 4, 2005)

**12.24.010     Definitions.**

For the purpose of this chapter, the following mean:

“Person” means an individual, corporation association, firm, partnership, joint stock company, and similar entities.

“Public rights-of-way” means and includes, but is not limited to, streets, roads, highways, bridges, alleys, sidewalks, trails, paths, public easements and all other public ways or areas, including subsurface and air space over these areas.

“Within the city” means territory over which the city now has or acquires jurisdiction for the exercise of its powers. (Ord. 97-06 § 1, 1997)

**12.24.020     Jurisdiction.**

The city of Port Orford has jurisdiction and exercises regulatory control over all public rights-of-way within the city under the authority of the City Charter and state law. (Ord. 97-06 § 2, 1997)

**12.24.030     Scope of regulatory control.**

The city has jurisdiction and exercises regulatory control over each public right-of-way whether the city has a fee easement or other legal interest in the right-of-way. The

**12.24.050     Obligations of the city.**

The exercise of jurisdiction and regulatory control over a public right-of-way by the city is not official acceptance of the right-of-way, and does not obligate the city to maintain or repair any part of the right-of-way. (Ord. 97-02 § 5, 1997)