

RESOLUTION NO. 19-29

**A RESOLUTION TO ALLOW A FENCE AS A REVOCABLE RIGHT-OF-WAY OBSTRUCTION
AT 302 3rd AVENUE (TAX LOT 2-2E-31CA-04800), OREGON CITY, CLACKAMAS
COUNTY, OREGON**

WHEREAS, an existing fence ("FENCE") has been maintained on the Ganong Street side of the house at 302 3rd Avenue ("PROPERTY") wholly within the adjacent right-of-way; and

WHEREAS, the property owner seeks a Public Works right-of-way permit, which also requires that a Public Works long-term obstruction permit for permanent obstruction in the right-of-way be obtained; and

WHEREAS, the property owner has met the requirements for a long-term obstruction permit; and

WHEREAS, Public Works has determined that the proposed FENCE 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 Long-Term Right-of-Way Obstruction Permit," which includes a covenant for maintenance of the FENCE.

NOW, THEREFORE, OREGON CITY RESOLVES:

Section 1. Authorize the City Engineer to issue a Revocable Long-Term Right-of-Way Obstruction permit, at 302 3rd Avenue for the FENCE in the right-of-way adjacent to the PROPERTY.

Section 2. Approval of Resolution No. 19-29, which will take effect immediately upon its adoption.

Approved and adopted at a regular meeting of the City Commission held on the 17th day of July 2019.

DAN HOLLADAY, Mayor

Attested to this 17th day of July 2019:

Approved as to legal sufficiency:

Kattie Riggs, City Recorder

City Attorney