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BEFORE THE BOARD OF COMMISSIONERS

FOR LINCOLN COUNTY, OREGON

ORDINANCE # 342

Relating to fees; amending LCC 6.410 and 9.015; and declaring an emergency.

The Lincoln County Board of Commissioners ordains as follows:

SECTION 1.

LCC 6.410 is amended to read:

6.410 Opening a Public Road

(1) Proceedings to open a public road which has not previously been officially opened for vehicular traffic are initiated by filing an application with the engineer on form or forms provided by the engineer. A filing fee *[of \$150]* shall accompany the application in an amount set by order of the Board of Commissioners.

(2) Following review of the application by the engineer, the engineer shall determine whether the opening of the road as proposed is in the public interest. The engineer may apply conditions to the opening of a public road to ensure protection of adjacent property owners, public utilities, and proper installation of improvements sufficient to safely handle traffic volumes of the opened road.

(3) If the engineer concludes that the opening of the public road is in the public interest and proceedings were initiated by an application signed by the acknowledged signatures of 100 percent of abutting property owners, the engineer may proceed to approve the opening of the road. If the application is not acknowledged by 100 percent of the property owners abutting the portion of the road to be opened, or if the engineer concludes that the opening of the public road is not in the public interest, or if the

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225 W. Olive Street
Newport, Oregon 97365
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NOTE: Matter in boldfaced type in an amended section is new; matter *[italic and bracketed]* is existing ordinance to be omitted; new sections are in boldfaced type.

1 engineer determines that a public hearing is necessary, the application shall be forwarded
2 to the Board of Commissioners for public hearing.

3 (4) Following notice as set forth in subsection (5), the Board shall conduct a
4 hearing to consider whether the opening of the public road is in the public interest. The
5 Board shall consider the recommendation of the engineer, the application, the proposed
6 conditions of improvement, and other relevant information submitted at the time of the
7 hearing. Following consideration of the matters presented, the Board shall enter an order
8 granting, denying, or modifying the application.

9 (5) Notice of a public hearing under subsection (4) of this section shall be
10 completed by publication and by service as provided for in ORS 368.401 to 368.426.

11 **SECTION 2.**

12 LCC 9.015 is amended to read:

13 **9.015 Overnight Camping**

14 (1) It shall be unlawful for any person to camp in a county park or on other
15 county property, except in areas specifically designated by the county as public camp
16 grounds. It shall be unlawful for any person to camp on a county or public road where
17 the Board of Commissioners, by Board order, has prohibited camping upon that road.

18 (2) Camping in the areas described is prohibited between the hours of 10:00 p.m.
19 and 4:00 a.m.

20 (3) In designated camping areas, residence shall be limited to 10 consecutive days
21 in any park.

22 (4) Violation of this regulation shall be punishable upon conviction pursuant to
23 Chapter 10.

24 (5) The fee for overnight camping at a Lincoln County Park shall be [*\$5 per night.*
25 *Parks subject to the fee shall by established by Board order*] **set by order of the Board**
26 **of Commissioners.**

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SECTION 3.

This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist and this Ordinance shall take effect upon its passage.

DATED this 17th day of August, 1994.

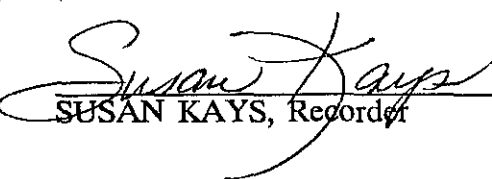
LINCOLN COUNTY BOARD OF COMMISSIONERS


DON LINDLY, Chair

EXCUSED
JEAN COWAN, Commissioner


NANCY E. LEONARD, Commissioner

ATTESTED TO:


SUSAN KAYS, Recorder

APPROVED AS TO FORM:


WAYNE BELMONT, County Counsel