

cc: Newport  
Jim B.  
9-1  
by SK

BEFORE THE BOARD OF COMMISSIONERS  
FOR LINCOLN COUNTY, OREGON

ORDINANCE # 344

Relating to roads; creating new provisions; and declaring an emergency.

WHEREAS, pursuant to ORS 368.016, Lincoln County has jurisdiction and control over all county roads within Lincoln County; and

WHEREAS, pursuant to ORS 368.011 and 203.030, Lincoln County has the authority to regulate, by ordinance, the placement of gates on county roads; and

WHEREAS public policy dictates that all public roads should generally remain open and ungated for public access; and

WHEREAS there may be certain limited circumstances that justify the gating of a county road under extremely narrow circumstances and only by ordinance enacted by the Board; and

WHEREAS County Road # 568 (South Jetty Road) provides access to a day use park area owned by Lincoln County and the State of Oregon; and

WHEREAS South Jetty Road has been continuously utilized by persons who camp illegally in the south jetty area; and

WHEREAS that illegal camping activity has resulted, and continues to result, in unsanitary conditions due to the lack of any sanitary sewage or solid waste disposal facilities; and

WHEREAS that illegal camping has caused numerous complaints by South Beach residents to the City of Newport and Lincoln County; and

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Lincoln County Legal Counsel  
Lincoln County Courthouse  
225 W. Olive Street  
Newport, Oregon 97365  
Phone: 285-4108

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1 WHEREAS the City of Newport desires to gate South Jetty Road to prevent  
2 night-time vehicular traffic and thus prevent the illegal camping; now, therefore, the  
3 Lincoln County Board of Commissioners ordains as follows:

4 **SECTION 1.**

5 Section 2 of this Ordinance is added to and made a part of LCC chapter 6 as  
6 indicated.

7 **SECTION 2.**

8 **6.450 Gating of South Jetty Road**

9 The City of Newport is authorized to gate County Road number 568, also  
10 known as South Jetty Road, in a manner that prevents night-time vehicular traffic  
11 on that road, but that does not prevent pedestrian traffic. The City of Newport shall  
12 set specific times during which the gate will be closed and shall post appropriate  
13 signs that provide notice to the public of the times of closure. The gate shall be  
14 constructed, reflectorized and signed in accordance with the current edition of the  
15 Manual on Uniform Traffic Control Devices. The City of Newport shall bear all  
16 costs of construction and maintenance of the gate. The Board of Commissioners  
17 reserves the right to repeal the permission granted pursuant to this section, and  
18 direct removal of any constructed gate.

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**SECTION 3.**

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

DATED this 31st day of August, 1994

LINCOLN COUNTY BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
DON LINDLY, Chair

*EXCUSED*  
\_\_\_\_\_  
JEAN COWAN, Commissioner

  
\_\_\_\_\_  
NANCY E. LEONARD, Commissioner

ATTESTED TO:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
SUSAN KAYS, Recorder

  
\_\_\_\_\_  
WAYNE BELMONT, County Counsel

3--ORDINANCE #344

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