# TITLE 5   STREETS AND SIDEWALKS

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## Chapter 5.04   STREETS

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5.04.010   Council's authority.

At such time or times as necessity may require, the council of the town shall, by the order duly passed, and spread at length upon its minutes andrecords, establish, build and repair bridges; establish, layout, alter, widen, extend, keep open, open, improve, and repair streets; sidewalks, alleys, squares and other publichighways and places within the town; drain, sprinkle,and light the same; remove all obstructions therefrom; establish the grades thereof; authorize grading, paving, planking, macadamizing, graveling, and curbing the same; provide forgutters, culverts, sidewalks and crosswalks thereon, or on any part thereof, within the limits of said town. The council may further regulate the width and construction thereof,and also cause to be planted, set out and cultivated shadetrees therein, and generally to manage control all such highways and places within the town.

(Ord. 98 §1, 1901).

5.04.020   Costs.

A.  That cost and expense incurred for the work authorized pursuant to Section 5.04.010 shall be paid as follows: The expense and costs of improving and repairing streets, sidewalks, alleys, squares and other public highways and places within the town; removing obstructions therefrom, grading, paving, planking, macadamizing, graveling and curbing the same; and constructing gutters, culverts and sidewalks therein, shall be assessed upon the lots and lands fronting thereon. Each lot or portion of a lot being separately assessed for the full depth thereon in proportion to the benefits upon the property to be benefitted, sufficient to cover the total expense of the work to the center of the street on which it fronts. Provided, that the council may expend from the general fund for said purposes a sum which, in their judgment, may be necessary.

b)  The expense of all improvements in the space formed by the junction of two or more streets or where one main street terminates in or crosses another main street, and also all necessary street crossings or crossways at corners or intersections of streets, and the expense of establishing, building, and repairing bridges in said town, shall be paid by the Town.

i)  When any work or improvements mentioned in this Ordinance is done or made on one side of the center lines of any street or alley or avenue or public highway, the lot, lots or portions of lot or lots or tracts fronting on that side shall be assessed to cover the expenses of said work according to the provisions of this Ordinance.

ii)  Whenever any expenses or cost of work shall have been assessed on any lot or lots or tract of land, the amount of said expense shall become a lien upon said lot or lots or tract of land, which shall take precedence of all other liens, and which may be foreclosed in accordance with other liens, and which may be foreclosed in accordance with the then-current laws of the State of Washington.

Such suit shall be in the name of the said Town of Oakesdale, plaintiff.

Upon the filing of a complaint in the Superior Court to enforce the lien of any kind hereon, the plaintiff shall be entitled, if recovery is had, or the money is paid, to include as costs the sum of Two Hundred Dollars as attorney's fees.

(Ord. 431 §1; 1985; Ord. 98 §2, 1901).

5.04.030   Street Closure.

a)  Whenever the conditions of any street or any part thereof in the Town is such that its use or continued use by vehicles will greatly damage such street, the Town Council is authorized to close such street to travel by all vehicles or to any class of vehicles, for such period as the Council may determine.

(Ord. 200, §2 11-19-1924)

b)  Before any street is closed to vehicles or any class of vehicles under Ordinance 200, a notice of the date on and after which the street, or any part thereof, shall be closed, and the period of such closure, and whether it shall be closed to all vehicles or to vehicles of particular class or classes, shall be published in one issue of a newspaper printed or published in the Town of Oakesdale, and a like notice shall be posted on or prior to the date of publication of said notice, in a conspicuous place at each end of the street or part of said street to be closed. No such street shall be closed sooner than three days after the publication and posting of the notices herein provided for. Provided however, that in emergencies, the Council may, without publication or delay, close streets temporarily by posting notices at each end of any street to be temporarily closed.

(Ord. 200, §2, 11-19-1924).

5.04.040   Damage to Streets.

a)  It shall be unlawful for any person, firm or corporation to drive, propel, draw, move, convey or transport, or cause to be driven, propelled, drawn, moved, conveyed or transported upon, over, along or across Steptoe Avenue between Front Street and the bridge between Fifth and Sixth Streets, First Street between the North side of Bartlet Street and the Union Pacific Right-of-Way, and Second Street between Steptoe Avenue and Bartlett Street, any vehicle or object which shall have any wheels, tires or tracks so made, constructed, formed or shaped, or so equipped with spikes, cleats, lugs or other attachments or projections, or constructed of such materials as to destroy or injure such streets or avenue or surface, foundation, or other part thereof.

(Ord. 259, §1; 6-23-1944).

b)  It shall be unlawful for any person, firm or corporation to drive, propel, draw, move, convey or transport, or cause to be driven, propelled, drawn, moved, conveyed or transported upon, over, along or across Steptoe Avenue between Front Street and the bridge between Fifth and Sixth Streets, First Street between the North side of Bartlet Street and the Union Pacific Right-of-Way, and Second Street between Steptoe Avenue and Bartlett Street, any animals with hoofs, shod or so equipped with spikes, cleats, lugs, or other attachments or projections of such a nature as to destroy or injure such streets and avenue or the surface, foundation or other part thereof.

(Ord. 259, §2; 6-23-1944).

5.04.050   Trains Crossing Streets.

a)  It shall be unlawful for engines, cars or trains of any railway company within the corporate limits of the Town to go upon or over any street crossing at night, unless the owner or owners of the railway maintain an are electric light of at least two thousand candle power, over or adjacent to said crossing.

b)  Any violation of the provisions of Ordinance 118 by any corporation, person or company, or agent or servant thereof, shall be a misdemeanor. A fine of not less than ten dollars ($10.00) or more than fifty dollars ($50.00) shall be imposed for each offense.

(Ord. 118; 12-90-1907).

5.04.060   Street Grades.

a)  The Street grades on Steptoe Avenue from Sixth Street to Idaho Street shall have the following elevations above the datum Plane:

|  |  |  |
| --- | --- | --- |
|  | North | South |
| Beginning at the East Line of Sixth Street ..... | 102.8 | 102.9 |
| thence to the West line of Fifth Street ..... | 101.5 | 101.5 |
| thence to the East line of Fifth Street ..... | 101.5 | 101.5 |
| thence to the West line of Fourth Street ..... | 102.0 | 102.0 |
| thence to the East line of Fourth Street ..... | 102.0 | 102.0 |
| thence to the West line of Third Street ..... | 100.0 | 100.0 |
| thence to the West line of Third Street ..... | 100.0 | 100.0 |
| thence to the west line of Second Street ..... | 98.0 | 98.6 |
| thence to the East line of Second Street ..... | 98.0 | 98.6 |
| thence to the West line of First Street ..... | 96.2 | 96.6 |
| thence to the East line of First Street ..... | 96.5 | 96.5 |
| thence to the West line of Front Street ..... | 94.4 | 94.4 |
| thence to the Main Line of the N.P.R.R ..... | 95.2 | 95.2 |
| thence to the West line of Washington Street ..... | 90.0 | 90.0 |
| thence to the East line of Washington Street ..... | 90.0 | 90.0 |
| thence to the West line of Idaho Street ..... | 89.5 | 89.5 |

b)  The Datum Plane is One Hundred (100.0′) feet below the top of the U.S. Geological Survey Bench Mark on the Commercial State Bank.

c)  The elevations given in this section are the grades of the sidewalk at the property line of the Street.

d)  That the Street grades on Bartlet Street, from Idaho Street to Third Street shall have the following elevations above the Datum Plane:

|  |  |  |
| --- | --- | --- |
|  | Elevations | |
|  | Side of Street | |
|  | North | South |
| Beginning at the West side of Idaho Street ..... | 95.0 | 95.0 |
| thence to the East side of Washington Street ..... | 93.0 | 93.0 |
| thence to the West side of Washington Street ..... | 93.0 | 93.0 |
| thence to the East side of Front Street ..... | 94.0 | 94.0 |
| thence to the West side of Front Street ..... | 94.0 | 94.0 |
| thence to the Maine Line track of the N.P.R.R ..... . | 94.8 | 94.6 |
| thence to the East side of First Street ..... | 97.1 | 97.1 |
| thence to the West side of First Street ..... | 96.5 | 97.0 |
| thence to the West side of Second Street ..... | 97.0 | 97.0 |
| thence to the East side of Third Street ..... | 95.5 | 95.5 |

e)  That the street grades on First Street from the Pleasant Valley Branch of the O.R.& N. Railway (Union Pacific Railroad) to Henry Street shall have the following elevations above the datum plane:

|  |  |  |
| --- | --- | --- |
|  | Elevations | |
|  | Side of Street | |
|  | East | West |
| Beginning at track of the O.R.&N. Railway Co., (Pleasant Valley Branch) ..... | 99.6 | 99.6 |
| thence north 50 feet ..... | 97.0 | 97.0 |
| thence to the south line of Steptoe Avenue ..... | 96.5 | 96.6 |
| thence to the north line of Steptoe Avenue ..... | 96.5 | 96.2 |
| thence to the south line of Bartlett Street ..... | 97.1 | 97.3 |
| thence to the north line of Bartlett Street ..... | 97.1 | 97.3 |
| thence to the Main line of the N.P.R.R ..... . | 94.4 | 94.8 |
| thence to the South line of Williams Street ..... | 93.0 | 93.0 |
| thence to the North line of Williams Street ..... | 93.0 | 93.0 |
| thence to the South line of Henry Street ..... | 94.3 | 94.3 |

(Ord. 108, §§1-5; 2-23-1906)

5.04.070   Brown Street Extended.

Brown Street in the Town of Oakesdale be, and the same is, hereby extended North, a distance of five hundred feet to the county road connecting with Steptoe Avenue: The said extension to connect with and form a straight street with Brown Street, as now established, and be of uniform width, to-wit: sixty feet.

(Ord. 124, §1; 7-20-1908)

5.04.080   Blocking Streets Prohibited.

a)  It is and shall be unlawful for any person, firm or corporation to store, place, put, in or on any street, alley or public highway within the limits of the Town of Oakesdale, anything which prevents, or tends to prevent the free use of such street, alley or highway, or any part thereof, by the public.

b)  Any violation of this section hereof shall constitute a misdemeanor.

c)  Marshal's duty. The Marshal shall have the power, and it shall be his duty, to remove or cause to be removed and abated anything or things which tend to prevent the free use of any street, alley or highway, or part thereof, from such street, alley or highway, by first giving and serving a notice to the owner or occupant of the adjacent property. That notice shall be at least five days from the date of service thereof. If the same is not so removed, within the time so stated, the Marshal shall cause the same to be removed, and the cost and expense thereof may be collected by civil suit from the owner or occupant of such adjacent property. Provided, such notice shall provide an opportunity for the recipient of the notice to appear before the Mayor to raise any objections to the imposition of this ordinance. Provided further, if such adjacent property be vacant or unoccupied, service may be made upon the owner thereof, by mailing to him at his last known address, a copy of such notice; and, if the owner be unknown, service may be made by posting a copy of such notice upon such property.

(Ord. 417, §§1-3; 8-06-1984)

5.04.090   Parking.

Except when impeded by snow or other major natural phenomenon, no person shall leave a motor vehicle parked or disabled or abandoned for more than forty-eight consecutive hours on town property, streets, or alleys.

(Ord. 446 §1, 1986).

## Chapter 5.08   SIDEWALKS

Sections:

[5.08.010 Owner's Duties.](#BK_850C9AF308CF1B0DDEEAFF751CACC862)

[5.08.020 Repair.](#BK_36D64A4FA0E5B40BDE47BACDDE214BF8)

[5.08.030 Construction Specifications.](#BK_C695466279213BF88BECE3426396DD75)

[5.08.040 Sidewalk Grades.](#BK_E586E3D3F736D8347FE8747D909E62C8)

5.08.010   Owner's Duties.

All sidewalks in the Town of Oakesdale shall be kept in good repair by the owner or owners of the property abutting the sidewalk.

(Ord. 132, §1; 12-12-1910)

5.08.020   Repair.

a)  Whenever in the judgment of the Town Marshal the condition of any public sidewalk in the Town is such as to render the sidewalk unfit or unsafe for purposes of public travel, the Town Marshal shall serve a notice upon the owner of the property immediately abutting upon said portion of said sidewalk.

b)  The notice shall set forth the defective condition thereof and instruct the owner to clean, repair or renew the said portion of the sidewalk.

c)  The notice herein provided for shall be deemed sufficiently served if delivered in person to the owner of the property abutting the sidewalk; or to his authorized agent; or, if the owner is a non-resident, by mailing a copy to his last known address; or if the owner is unknown or if his address is unknown, then such notice shall be addressed to the general delivery office of the Oakesdale Post Office.

d)  In case of cleaning of snow or ice, the notice shall specify a time, not less than five hours within which such cleaning shall be done.

e)  In case of repair or renewal of sidewalk, the notice shall specify a time, not less than ten days, within which said repairing or renewal shall be done, by the owner.

f)  In cases where cleaning, repairing or renewal is required, the notice shall state that in case the owner shall fail to do such cleaning or make such repairs or renewal within the time therein specified, then the Town Marshal will proceed to clean said sidewalk or make such repairs or renewal forthwith, and will report to the Town Council at its next regular meeting, or as soon thereafter as possible, the date to be definitely stated, an assessment roll showing the lot or parcel of land immediately abutting the portion of sidewalk so improved, the cost of such improvement or repair and the name of the owner if known, and that the council will hear any or all protests against the proposed assessment. The council shall at the time designated in such notice or at an adjourned time or times assess the cost of such work against the said property in accordance with the benefits derived therefrom. This charge shall become a lien upon said property and shall be collected by due process of law.

(Ord. 150; §2; 7-17-1916).

g)  The assessment assessed and levied by this section shall be due and payable ten days after the confirmation of the assessment. After said ten days, the assessment shall draw interest at the rate of eight per cent per annum.

(Ord. 150, 3; 7-17-1916).

h)  Definitions.

1)  Sidewalk shall be taken to include any and all structures and forms of street improvement included in the space between the street margin and the roadway.

2)  Abutting property shall be any property having a frontage on the sides or margin of any street.

(Ord. 150, §4; 7-17-1916).

i)  Abutting property shall be chargeable, as provided by this section for all costs of maintenance, repairs or renewal of any form of sidewalk improvement between the said street margin and the roadway lying in front of and adjacent to said property.

(Ord. 150; §4; 7-17-1916).

5.08.030   Construction Specifications.

All sidewalks hereafter constructed or renewed on the streets or parts of streets hereinafter named shall be built of cement on the present grades, and shall be of the following widths:

a)  on Steptoe Avenue, from the center of the Northern Pacific Railway Company's right of way to Second Street, twelve feet wide;

b)  on Steptoe Avenue, from Second to Third Streets, six feet wide;

c)  on the south side of Bartlett Street, from First Street to Second Street, six feet wide;

d)  on the south side of Bartlett Street, from Second Street to Third Street, five feet wide;

e)  both sides of First Street, from the center of the Oregon-Washington Railroad and Navigation Company right of way to Bartlett Street, twelve feet wide;

f)  on the east side of First Street, from Bartlett Street to the center of the Northern Pacific Railway Company's right of way, six feet wide;

g)  on the east side of Second Street, from Steptoe Avenue to Bartlett Street, six feet wide; and

h)  on the east side of Third Street, from Steptoe Avenue to Bartlett Street, five feet wide.

(Ord. 156, §1; 5-21-1917).

5.08.040   Sidewalk Grades.

a)  That the sidewalk grade on the west side of Fourth Street, between Steptoe Avenue and McCoy Street (being the west line of said Fourth Street) is and shall be as follows, the figures being feet and parts of feet above the datum plane:

|  |  |
| --- | --- |
| At south line of Steptoe Avenue | 102.0 feet |
| north line of Pearl Street | 102 |
| south line of Pearl Street | 102.4 |
| 120 feet south of Pearl Street | 106.6 |
| 180 feet south of Pearl Street | 107.8 |
| north line of McCoy Street | 111 |

b)  That the sidewalk grade on the south side of McCoy Street, from Fourth Street to Brown Street (being the south line of said McCoy Street) is and shall be as follows, the figures being feet and parts of feet above the datum plane:

|  |  |
| --- | --- |
| At west line of Fourth Street | 114.5 |
| 100 feet west of Fourth Street | 107.5 |
| 250 feet west of Fourth Street | 107.5 |
| 450 feet west of Fourth Street | 111.4 |
| 600 feet west of Fourth Street | 108.4 |
| 900 feet west of Fourth Street | 106.4 |
| 1100 feet west of Fourth Street | 108.0 |
| 1300 feet west of Fourth Street | 108.0 |
| 1700 feet west of Fourth Street | 113.8 |
| east line of Brown Street | 113.8 |

c)  That the sidewalk grade on Pearl Street, from First Street to a point 150 feet west of First Street, is and shall be as follows, the figures being feet and parts of feet above the datum plane:

|  |  |
| --- | --- |
| At the West line of First Street and the north line of Pearl Street | 127.4 |
| At the west line of First Street and the south line of Pearl Street | 136.0 |
| At a point 150 feet west of First Street, on the south line of Pearl Street | 136.0 |

d)  That the sidewalk grade on Second Street, between Steptoe Avenue and Bartlett Street (being the east line of Second Street) is and shall be as follows, the figures being feet and parts of feet above the datum plane:

|  |  |
| --- | --- |
| At the north line of Steptoe Avenue | 98.0 |
| At the south line of Bartlett Street | 97.0 |

e)  That the sidewalk grade on Steptoe Avenue between Front Street and the Spokane and Inland Empire Railroad, being the south line of said avenue, is and shall be as follows, the figures being feet and parts of feet above the datum plane:

|  |  |
| --- | --- |
| At east line of Front Street | 96.5 |
| Main line of Northern Pacific Railroad | 95.2 |
| Main line of Spokane & Inland Empire Railroad | 91.7 |

f)  That the sidewalk grade on Third Street, between Barlet Street and Henry Street (being the east line of said Third Street) is and shall be as follows, the figures being feet and parts of feet above the datum plane:

|  |  |
| --- | --- |
| At south line of Bartlett Street | 99.5 |
| north line of Bartlett Street | 98.5 |
| 200 feet north of Bartlett Street | 95. |
| 260 feet north of Bartlett Street | 95. |
| north line of Jackson Street | 102. |
| 100 feet north of Jackson Street | 107. |
| 200 feet north of Jackson Street | 109.5 |
| south line of William Street | 108.8 |
| north line of William Street | 109 |
| 100 feet north of William Street | 105.4 |
| south line of Henry Street | 101.4 |

g)  That the sidewalk grade on Jackson Street between Third and Fourth Streets (being the north line of Jackson Street) is and shall be as follows, the figures being feet and parts of feet above the datum plane:

|  |  |
| --- | --- |
| At west line of Third Street | 107.2 |
| 100 feet west of Third Street | 121.2 |
| east line of Fourth Street | 131.8 |

h)  That the sidewalk grade on Front Street, between Steptoe Avenue and a point 220 feet south thereof (being the west line of said Front Street) is and shall be as follows, the figures being feet and parts of feet above the datum plane:

|  |  |
| --- | --- |
| At the south line of Steptoe Avenue | 94.4 |
| 180 feet south of Steptoe Avenue | 94.2 |
| 220 feet south of Steptoe Avenue | 98. |

i)  That a sidewalk grade is established as follows, to wit: starting at the south line of Steptoe Avenue and the west line of Front Street; run thence south 220 feet, run thence north of and parallel to the main line track of the Oregon-Washington Railroad & Navigation Company railroad easterly 210 feet to a point, which point is and shall be 96.4 feet above the datum plane.

(Ord. 163, §§1-9; 9-2-1919).