

CITY OF NEWPORT
ORDINANCE NO. 2054

An Ordinance Amending the Effective Date
Of Sections 9, 10, and 11 of
Ordinance No. 2031
Relating to Clear Vision Standards

WHEREAS, the Newport City Council adopted Ordinance No. 2031, an ordinance amending the City of Newport Zoning Ordinance and Newport Municipal Code to establish criteria for the management of the city's urban tree canopy on March 5, 2012; and

WHEREAS, all provisions of Ordinance No. 2031 go into effect at such time as a tree plan is developed by the Parks and Recreation Committee, and approved by the City Council; and

WHEREAS, the Parks and Recreation Committee is in the process of developing a tree plan, but the plan is not yet completed; and

WHEREAS, city staff has found it increasingly necessary and important to implement the clear vision standards established in Sections 9, 10, and 11 of Ordinance No. 2031; and

WHEREAS, the city complied with all land use notice requirements during the process of adopting Ordinance No. 2031; and

WHEREAS, after the adoption of Ordinance No. 2031, the City Council codified the Newport Zoning Ordinance, requiring the renumbering of the city's zoning provisions; and

WHEREAS, the City of Newport has determined that the clear vision standards established in Ordinance No. 2031, Sections 9, 10, and 11, are critical in providing necessary language and enforcement tools, relative to clear vision requirements, for the continued peace, health, and safety of the citizens of the City of Newport;

THE CITY OF NEWPORT ORDAINS AS FOLLOWS:

Section 1. Section 9 of Ordinance No. 2031 is hereby amended as follows:

"Section 8.10.060.D of Ordinance No. 1921, codified under Chapter 8.10, Nuisances, of the Newport Municipal Code, is hereby amended to read:

D. Any vegetation, wall, fence, or other vision-obstructing structure exceeding 36 inches in height measured from the top of the curb, or where no curb exists, from the street centerline grade. Vegetation, walls,

fences, or structures that obstruct vision constitute a safety hazard if they are within a clear vision area pursuant to Chapter 14.17 of the Newport Municipal Code.”

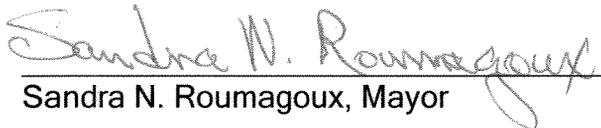
Section 2. Section 12 of Ordinance No. 2031 is hereby amended as follows:

“Sections 1, 9, 10, 11 and 12 of this Ordinance shall take effect on June 12, 2013. All remaining sections of this Ordinance shall take effect at such time as a tree plan is developed by the Parks and Recreation Committee and approved by the Newport City Council.”

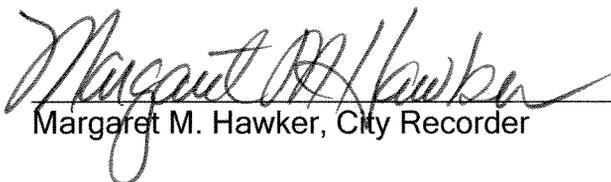
Section 3. Declaration of Emergency. It is hereby adjudged and declared that existing conditions are such that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety of the City of Newport, and an emergency is hereby declared to exist and this Ordinance, and all provisions modifying the Ordinance referred to herein, shall take effect in full force and effect when signed by the Mayor.

Adopted by the Newport City Council on June 3, 2013.

Signed by the Mayor on the 12th day of June, 2013.


Sandra N. Roumagoux, Mayor

ATTEST:


Margaret M. Hawker, City Recorder

Approved as to form:

City Attorney

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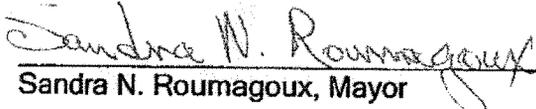
Section 2. Section 12 of Ordinance No. 2031 is hereby amended as follows:

"Sections 1, 9, 10, 11 and 12 of this Ordinance shall take effect on June 12, 2013. All remaining sections of this Ordinance shall take effect at such time as a tree plan is developed by the Parks and Recreation Committee and approved by the Newport City Council."

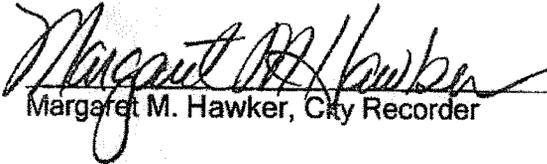
Section 3. Declaration of Emergency. It is hereby adjudged and declared that existing conditions are such that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety of the City of Newport, and an emergency is hereby declared to exist and this Ordinance, and all provisions modifying the Ordinance referred to herein, shall take effect in full force and effect when signed by the Mayor.

Adopted by the Newport City Council on June 3, 2013.

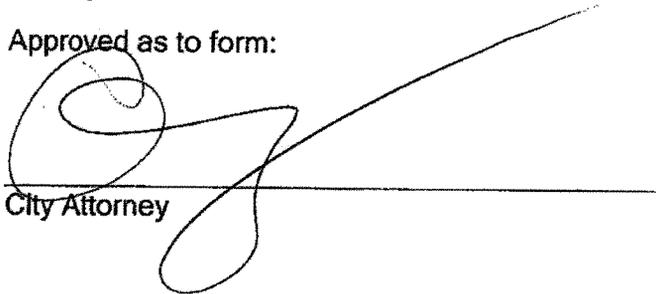
Signed by the Mayor on the 12th day of June, 2013.


Sandra N. Roumagoux, Mayor

ATTEST:


Margaret M. Hawker, City Recorder

Approved as to form:


City Attorney