

CITY OF KEIZER MISSION STATEMENT
KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY PROVIDING CITY
SERVICES TO THE COMMUNITY IN A COORDINATED, EFFICIENT AND LEAST COST
FASHION

A G E N D A

KEIZER CITY COUNCIL WORK SESSION

Monday, June 10, 2019

6:00 p.m.

Robert L. Simon Council Chambers

930 Chemawa Road NE

Keizer, Oregon 97303

1. CALL TO ORDER

2. ROLL CALL

3. DISCUSSION

a. Sidewalk/Right of Way Obstruction Issues

4. ADJOURN

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TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: NATE BROWN
COMMUNITY DEVELOPMENT DIRECTOR**

SUBJECT: SIDEWALK / RIGHT OF WAY OBSTRUCTION ISSUES

BACKGROUND:

The need to be sensitive in how we address the issue obstructions and junk, materials, etc. in the ROW cannot be stressed enough. The City of Salem learned the hard way when it “outlawed” basketball standards and quickly had to lease a large property just to store the confiscated items—huge staff impacts, large resource impacts and a LOT of political ill will with their citizenry. Whatever approach we use, we need to be smart about addressing the specific issues we are concerned with.

Currently, Salem’s policy on basketball standards is a simple one sentence policy: “Require the removal of all basketball hoops from the ROW of all local streets ***on a complaint basis.***”—a far cry from where they were earlier.

Portable basketball hoops are very common in the community, and many times they are placed so as not to block sidewalks and in some cases are accepted and encouraged by the local residents.

The City of Keizer does not have an enforceable (citation-able) means to address someone who blocks a sidewalk with personal items such as portable basketball standards, or discarded/for-sale items. We do address some of these issues in bits and pieces—the KDC (zoning code) does prohibit commercial merchandise on sidewalks in the commercial zones. The Parking ordinance does address materials/abandoned vehicles in the ROW and prohibits cars, trailers, RV’s etc. from blocking the sidewalk. A comprehensive approach to issues of blocking the sidewalk should be addressed by giving more authority to enforce more than vehicle issues.

The issues we believe that need to be discussed are:

- **Connectivity:** Obstructing any improved sidewalk--in any way. This should include by vehicles, personal items, and construction materials--virtually any material.
- **Safety:** Obstructing travel lanes for vehicles, pedestrians or bike lanes in any way. Obstructing the shoulders of major streets.
- **Livability:** There are some cases where the presence of a non-intrusive basketball standard (and such things as a hop scotch pad etc.) actually strengthens the sense of Neighborhood/Community. The difficult issues are how to distinguish between when it adds, and when it doesn’t.

- **Reasonable Enforcement:** A simple prohibition of Basketball Hoops would be unenforceable and would outstrip the City's ability to manage.

Distinguishing between ok/not ok, is a challenge. When street improvements are not built to standards (such as no improved sidewalks, loosely defined travel lanes, marginal or no shoulders)—makes the conversation complex.

For example: Rickman St adjacent to City Hall. There is an active hoop where there are not adequate improvements. Rickman St isn't a major street, however does have a higher vehicle trip count (partly because of City Hall). There is good sight visibility and generally the 'athletes' are courteous when they are there—however, there have been complaints and to the hoop owners refuse to remove the hoop when they are not using it.

This is why we believe a strong component of our approach, outside of obvious safety standards, should rely on a complaint basis enforcement. This isn't a "cop-out" but rather a hopeful intent to get neighbors to communicate with each other and act responsibly. It is also a recognition of the intentional limited resources and service levels the city was established with.

More clear authority for the city to cite/confiscate/abate any violation also needs to be articulated in our ordinance.

RECOMMENDATION:

Review the matter and give staff direction on ordinance amendment as Council sees fit.