

AN ORDINANCE REGULATING PUBLIC RIGHTS-OF-WAY WITHIN  
THE CITY OF TALENT, OREGON

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The City of Talent ordains as follows:

**Section 1 Definitions.** For the purpose of this ordinance, the following mean:

City. The City of Talent, Oregon

Person. Individual, corporation, association, firm, partnership, joint stock company, and similar entities.

Public rights-of-ways. Include but are not limited to, streets, roads, highways, bridges, alleys, sidewalk, trails, paths, public easements and all other public ways or areas, including subsurface and air space over these areas.

Within the City. Territory over which the city now has or acquires jurisdiction for the exercise of its powers.

**Section 2 Jurisdiction.** The City of Talent has jurisdiction and exercises regulatory control over all public rights-of-way within the City under the authority of the City charter and state law.

**Section 3 Scope of Regulatory Control.** The city has jurisdiction and exercises regulatory control over each public rights-of-way whether the city has a fee, easement, or other legal interest in the rights-of-way. The city has jurisdiction and regulatory control over each right-of-way whether the legal interest in the right-of-way was obtained by grant, dedication, prescription, reservation, condemnation, annexation, foreclosure or other means.

**Section 4 City Permission Requirement.** No person may occupy or encroach on a public right-of-way without the permission of the city, The city grants permission to use rights-of-way by franchises, licenses and permits.

**Section 5 Obligations of the City.** The exercise of jurisdiction and regulatory control over a public right-of-way by the city is not official acceptance of the right-of-way, and does not obligate the city to maintain or repair any part of the right-of-way.

**Section 6 Severability.** Invalidity of a section or part of a section of this ordinance shall not affect the validity of the remaining sections or parts of sections.

Adopted as read in full the 6th day of August, 1997 by the following vote:

AYES - 7    NAYS - 0    ABSENT - 0    ABSTAIN - 0

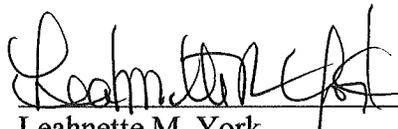
Adopted as read by title only on the 6th day of August, 1997 by the following vote:

AYES - 7    NAYS - 0    ABSENT - 0    ABSTAIN - 0

Signed by me, Frank Falsarella, Mayor, in authentication of its adoption and passage this 7th day of August, 1997.

  
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Frank Falsarella  
Mayor

ATTEST:

  
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Leahnette M. York  
City Administrator/Recorder