

ORDINANCE NO. 2476

AN ORDINANCE amending Chapter 12.36 of the Camas Municipal Code by revising the regulations for gates and other road barriers.

THE COUNCIL OF THE CITY OF CAMAS DO ORDAIN AS FOLLOWS:

Section I

Chapter 12.36 of the Camas Municipal Code is hereby amended to provide as set forth in Exhibit "A", attached hereto and by this reference incorporated herein.

Section II

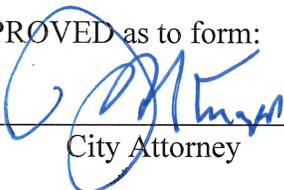
This ordinance shall take force and be in effect five (5) days from and after its publication according to law.

PASSED by the Council and APPROVED by the Mayor this 18th day of December, 2006.

SIGNED: 
Mayor

ATTEST: 
Clerk

APPROVED as to form:


City Attorney

Chapter 12.36

GATES AND OTHER BARRIERS

Sections:

- 12.36.010 Purpose of Provisions.**
- 12.36.020 Definitions.**
- 12.36.030 Applicability of Provisions.**
- 12.36.040 Design Standards.**
- 12.36.050 Permits – Required.**
- 12.36.060 Permit – Fee.**
- 12.36.070 Permit – Issuance conditions.**
- 12.36.080 Liability limitations.**
- 12.36.090 Inspection Authority.**
- 12.36.100 Notification Requirements.**
- 12.36.110 Maintenance and Repair – Responsibility.**
- 12.36.120 Maintenance and repair – time limit.**
- 12.36.130 Confidence Testing.**

12.36.010 Purpose of provisions.

The city council makes the following findings:

- A.** From time to time, the owners of real property served by private streets and driveways desire to erect gates or other barriers restricting vehicular access on such private streets and driveways.
- B.** Such gates or barriers will delay response of police, fire, medical and other public services.
- C.** *Gates or other traffic barriers may be permitted only when adequate provisions are made for access by fire, police, medical emergency and other public services.*

12.36.020 Definitions.

Unless otherwise specifically defined, the terms used in this chapter shall have the following meanings:

- A.** *"City" shall mean the city of Camas;*
- B.** *"Gate" shall mean a movable barrier designed and constructed to prohibit or limit motor vehicle access from private property to a public street;*

C. "Public works director" shall mean the director of the public works department of the city of Camas or his authorized designee.

D. "Fire Chief" shall mean the Fire Chief of the fire department of the city of Camas or his authorized designee.

12.36.030 Applicability of provisions.

The provisions of this chapter shall apply to all gates which are designed and constructed on private property and are intended to limit or restrict motor vehicular access to a public street or thoroughfare except the following:

A. Gates restricting access to where there are no structures or improvements located thereon;

B. Gates providing access to private property used solely for agricultural or farming purposes;

C. Gates on private streets or driveways serving only one residential dwelling;

D. Gates attended by an operator at all times when the gate is in a closed position;

E. Gates where there is an alternative and unobstructed access satisfactory to the city.

12.36.040 Design standards.

All gate installations must satisfy the following design standards:

A. A turnaround shall be provided adjacent to the gate. The turnaround shall allow passenger and delivery vehicles to exit the site without backing. The minimum turning radius for the turnaround shall be twenty-five feet.

B. A sign shall be located at a point visible from the public roadway indicating "locked gate ahead."

C. All gates shall be equipped with, but not limited to, the following opening systems. Strobe activation, Key Pad system, an Approved Lock Box with toggle switch, house Activation by residents through phone, intercom, magnetic card or other approved system. When the gate is accessed by emergency services using strobe activation, the gate timer shall be set to remain open for a minimum of 5 minutes.

D. All gates shall include an activation system for use by private property owners. This system shall operate independently of the emergency access system, and may utilize key pads, magnetic cards, radio transmitters, camera's or other mechanisms approved by the city.

E. All gates shall include an auxiliary power supply which shall automatically lock the gate open in the event of a power outage. The date including month and year of battery installation shall be written on the battery with black permanent marker or other permanent means.

F. There shall be an unlocked pedestrian access for all residential development gates.

G. Gate construction shall be of wrought iron or other material approved by the city. The gate and related equipment shall be coated in a manner to prevent corrosion.

H. The gate shall be constructed in a manner so as to allow viewing of obstructions located within the swing path of the gate.

I. Pass codes or any other necessary access items shall be furnished at the homeowner's association or responsible agency's expense as needed by local fire, police and public works departments. An approved 4 digit pass code shall be provided for police and fire and a separate approved pass code shall be provided for public works. Access using key pad pass codes shall not be required to lock the gate open.

Protocol Access (#, *) shall be noted/displayed on the access pad.

J. All dwellings or structures accessed behind gates shall have residential fire sprinklers installed per NFPA 13, 13R or 13D.

K. Tire puncture devices shall be prohibited.

L. Gate width for each travel lane shall not be less than 12 feet clear opening. A single operating gate covering both travel lanes shall not be less than 20 feet clear opening.

M. Gate design shall typically conform to the Camas engineering design drawing showing placement of activation key pad and dimensions for travel and pull out lanes. Alternate means and methods may be submitted for possible approval.

12.36.050 Permit--Required when--Application.

A. Any person desiring to install a gate shall obtain an application form from the public works department and a separate application form from the fire marshals office. The applications shall contain the following information:

1. A vicinity and site map of the proposed location for the gate;
2. A plan view and elevation of the gate installation illustrating gate dimensions and the direction of the swing path for the gate;
3. A plan view of the gate turnaround;
4. The location of the access-control panel;

- 5. Control systems information, spec sheets etc;*
 - 6. The names and addresses of all property owners affected by the restricted access;*
 - 7. The name, address and phone number of the applicant;*
 - 8. The written consent of all property owners affected by the restricted access. A homeowners association owning and maintaining private roads within a development may consent for its membership. In all other instances, consent must be given individually by each property owner affected by the restricted access;*
 - 9. Such other information as may be required by the public works department or the Fire Marshal's office.*
- B. The applications shall be signed and dated by the applicant.*

12.36.060 Permit--Fee.

Any person submitting an application for a gate shall pay a fire permit fee and a public works permit fee. These fees shall be in addition to any other permit, development or construction fees for the subject property.

12.36.070 Permit--Issuance conditions.

Upon receipt of properly completed applications for a gate installation conforming to the standards of this chapter together with the application fees, the public works director and the fire chief or their designees shall issue permits authorizing the installation, construction and acceptance of the gate. Construction or installation of gate shall not commence until public works director and the fire chief or their designees have completed reviews and issued permits.

12.36.080 Liability limitations.

The city shall have no liability for any damage to the gate resulting from city vehicles or personnel accessing the property, whether responding to actual or false emergencies. Any damage sustained by city vehicles due to the gate installation shall be the responsibility of the party responsible for maintenance and repair of the gate.

12.36.090 Inspection authority.

The city shall have the right to access the property to inspect the gate on a periodic basis without being liable for trespass.

12.36.100 Notification Requirements

- A)** Provide plat statement that reads "Privacy gates will cause delays to emergency response agencies (Police, Fire, Medical) increasing their response times to your emergency"
- B)** Provide statement in the CC&R's that reads "Privacy gates will cause delays to emergency response agencies (Police, Fire, Medical) increasing their response times to your emergency"
- C)** Add addendum in escrow instructions to be signed by all homeowners prior to close of escrow that homeowners are aware that privacy gates will increase response times of emergency service providers such as police, fire and EMS resources and homeowners accept this reduced level of service as part of living in a closed community"
- D)** Provide a statement to the Plat and to the CC&R's that "A yearly gate confidence test is required by a licensed and approved company to ensure that all Gate Code Requirements as noted in the City of Camas gate code are in compliance and in good working order with a copy of the testing results including any repairs to be provided to the fire marshal's office. Any gate that is past due for confidence testing shall be locked in the open position until confidence testing is completed and a copy provided to the fire marshal's office.

12.36.100 Maintenance and repair--Responsibility.

Maintenance and repair of the gate and related equipment shall be the responsibility of the applicant. The applicant may, with the consent of the city, assign the obligation for maintenance and repair of the gate and related equipment to another person or entity, including a homeowners association.

12.36.110 Maintenance and repair--Time limit.

Upon notification by the city of any defects in the gate installation, the party responsible for maintenance and repair shall affect necessary repairs within seven (7) days. Repairs shall not take more than seven days (7) to complete without prior approval from the fire marshal's office. Failure to make repairs within the specified period shall constitute a violation of the terms of the gate permit, and in such event the city may require removal of the gate and related equipment.

Gates that are mal-functioning will be reported to the fire department within seventy-two hours (72). Notification can be made by the homeowners association, responsible agency or licensed repair company. Notification shall include time period gate will be inoperable, person or company performing the work, contact number, type of work being performed. Gates shall remain locked open until repairs or maintenance is completed. Failure to make repairs shall constitute a violation of the terms of the gate permit, and in such event the city may require removal of the gate and related

equipment. A request for inspection by the fire marshal's office shall occur prior to gate returning to normal operation.

Gates, turnarounds, gate keys, cards, remotes, pass codes or any other gate function or activating device, shall not be changed or altered without prior approval of the fire marshals office.

12.36.130 Confidence Testing

Gate confidence testing shall be required to be performed on a yearly basis by a certified and approved WA licensed Installer. Confidence testing shall confirm that all requirements outlined in this code are present, functioning and in good working order. Results of the confidence testing including any repairs shall be forwarded to the fire marshal's office for review/ documentation. Any gate past due for confidence testing shall be locked in the open position until confidence testing is completed and a copy provided to the fire marshal's office.

ORDINANCE NO. 2476

On December 18, 2006, the City Council of Camas enacted Ordinance No. 2476, which amended Chapter 12.36 of the Camas Municipal Code by revising the regulations for gates and other road barriers. A copy of the full text of the ordinance will be mailed to any person upon request.

DATED this 19th day of December, 2006.



Joan Durgin, City Clerk