

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR THE COUNTY OF KLAMATH

IN THE MATTER OF AMENDING CHAPTER 110)
OF THE KLAMATH COUNTY CODE REGARDING)
TIRE STORAGE)

ORDINANCE No. 60

WHEREAS, the current provisions of the Klamath County Code do not deal with tire storage in any specific manner; and

WHEREAS, the storage of tires, both used and waste, constitutes a hazard to the public through fire danger and by providing breeding grounds for vectors; and

WHEREAS, it is appropriate for Klamath County to enact this Ordinance to avoid having individual Fire Districts adopt ordinances thereby preventing the moving of such tires from one area to the other without solving the problem;

WHEREAS, notice of the first hearing of this Ordinance was given in the manner provided by law and the first hearing was held on MARCH 21, 1990; and a second hearing was held on APRIL 4, 1990.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS FOR KLAMATH COUNTY HEREBY ORDAINS that the following amendments shall be added to Chapter 110 of the Klamath County Code.

110.400 Definitions.

- (1) New Tire means any tire that has never been used.
- (2) Used Tire means any tire with a greater tread life than $4/32$ of an inch as measured where the greatest amount of tread remains.
- (3) Waste Tire means any tire with less than $4/32$ of an inch as measured where the greatest amount of tread remains.

110.410 New Tire Storage. Any business may store any amount of new tires inside buildings. Exterior storage is allowed if:

- (1) The tires are stored in a fenced area with fences being 6 feet or higher and which are secured for access by the public.
- (2) All tires stored in exterior areas shall be either vertically stacked, not to exceed 6 feet in height or placed in racks not more than 6 feet high designed for the storage of such tires. Rows shall not exceed 50 feet in length

and 10 feet in depth. There shall be 15 feet of clear space between rows for fire protection.

(3) No exterior storage shall be closer than 25 feet from any building and no closer than 10 feet to any property line.

(4) For purposes of this section, any container which is sealed shall be considered a building.

110.420 Used Tire Storage.

(1) The requirements for used tire storage shall be the same as for new tire storage as set out in KCC 110.410 for any business which sells or distributes new or used tires, including wrecking yards.

(2) Used tire storage at places other than those provided for in paragraph (1) of this section shall be limited to 100 square feet and any tires shall be stacked in the manner provided in KCC 110.410.

110.430 Waste Tire Storage.

(1) Business which sell new or used tires may store up to 3200 square feet of waste tires in interior storage. Interior storage shall include any vehicle which will be used to transport waste tires, including trailers, dumpsters or semi-truck trailers.

(2) Business which sell new or used tires may store up to 800 square feet of waste tires in exterior storage. Such storage shall be done in the same manner as that provided for new tires in KCC 110.410.

(3) All other storage of waste tires shall be limited to 350 square feet of interior or exterior storage. Such storage shall be done in the same manner as that provided for new tires in KCC 110.410 except that no stack may exceed 4 feet in height.

110.440 Schedule of Compliance. These provisions shall be effective and shall be complied with upon passage of this Chapter for any tire not stored at the time of passage of this Chapter. For tires that were stored on the date of passage of this Chapter the following schedule of compliance shall govern the removal of such tires:

(1) Within 30 days of the passage of this Chapter, any individual or business not in compliance with the terms of this Chapter shall notify the Fire District responsible for fire protection for that individual or business, or if the property is unprotected, then notification shall be given to the Klamath County Code Enforcement Officer, that such individual or business is not in compliance with the provisions of this Chapter.

(2) Within 90 days of the date of passage of this Chapter, any individual or business not in compliance with this Chapter shall reduce the number of tires not in compliance by 50% of that amount present upon passage of this Chapter.

(3) Within 150 days of the date of passage of this Chapter, such individuals or business shall reduce the number of tires not in compliance to 25 % of that amount present upon passage of this Chapter.

(4) Within 210 days of the passage of this Chapter, all individuals or business shall be in compliance with the provisions of this Chapter.

110.450 Enforcement. The provisions of KCC 110.400, 110.410, 110.420 and 110.430 shall be enforced by any police officer, any enforcement officer appointed by the Board of County Commissioners and any fire official authorized by the governing body of that official's fire district to enforce these provisions.

110.460 Penalties. Violation of any of the provisions of KCC 110.410, 110.420, 110.430 or 110.440 shall be subject to a fine of up to \$500.00. Each day of noncompliance shall be deemed to be a separate violation of these provisions.

110.470 Exemptions. Any Fire District, for property within its boundaries, or the Klamath County Building Official may grant a permit to any business involved in the disposal of waste or used tires to exceed the limits provided by this Chapter. Nothing in this Chapter shall be deemed to limit or constrain the storage or disposal of used or waste tires by Klamath County in any facility operated or permitted by Klamath County for the disposal of such tires.

This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect upon its passage.

DATED THIS 4th DAY OF April, 1990.

BOARD OF COUNTY COMMISSIONERS



Harry Fredricks, Chairman

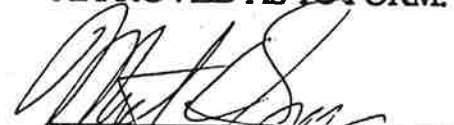


Roger Hamilton, Commissioner



Ted Lindow, Commissioner

APPROVED AS TO FORM:



County Counsel